



# Meaning and Scope of Political Science

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## Introduction

Your course in Political Science begins with this lesson. This lesson tries to explore the meaning of Political Science. Political Science, traditionally, begins and ends with the state. So considered, it is the study of the state and Government. The modern view of Political Science lays emphasis on its being the study of power and authority. Political Science also explains its ever-widening scope. Its scope includes study of the state and the study of political system; covering the study of Government, study of power, study of man and his political behavior and study of political issues which influence politics directly or indirectly. In this lesson, you will study some of the core concepts like Justice and its relevance to citizens.

## Objectives

After studying this lesson you will be able to:

- Explain the meaning of Political Science in the light of some standard definitions;
- distinguish between Political Science and Politics;
- describe the scope of Political Science in terms of role of the State, functions of Government and its relationship with citizens;
- Recognize the relevance of Justice for citizens and State.

## I. Essay Questions and Answers

**8 Marks**

- 1. Describe the scope of Political Science in terms of role of the State and Functions of Government.**

**Ans:** The subject which studies about State and Government is called Political Science. Here we shall learn about the scope of Political science in terms of the State, functions of Government and its relationship with citizens.

- 1. Role of the State- functions of Government:** The term 'State' in its modern sense was first used by Machiavelli (in 16<sup>th</sup> century). The study of State has since remained the focal point for the political scientists. The State consists of four elements. These are; (1) Population (2) Territory (3) Government and (4) Sovereignty.

The role and nature of State have been interpreted differently.

1. Modern Western liberal thinking arose with the commercial Revolution in Western Europe in the 16<sup>th</sup> century and became prominent in the Industrial Revolution in the 18<sup>th</sup> Century. These revolutions brought into focus a new economic system called capitalism.
  2. The Social group consisting of traders, merchants and business men and later the industrialists was the major beneficiary of this system. Early liberal thinkers also considered the State as a "necessary evil" - an evil but necessary for the purpose of protecting the individual from the external and internal enemies. According to this view, the Government is the best which governs the least. The State should be a "Police State" and hence a limited one.
  3. In 17<sup>th</sup> Century, the British famous political Philosopher, John Locke said, State is then, to protect individuals natural rights, right to life, liberty and property.
  4. In 19<sup>th</sup> Century, by contract, the Marxist view does not consider the state as an impartial institution. It asserts that throughout the centuries, the state has been a tool in the hands of "haves" for exploiting and dominating the "have-nots". In future classless society (Communist society), the State would wither away.
  5. In Gandhian view, the State would justify its existence by acting as a "trustee of the people". It should help the poorest and the weakest one.
  6. During 1930s, the welfare state slowly emerged, tries to promote the well being of its citizens, especially the poor, the needy, the unemployed and the aged. It is generally agreed that the welfare State exists to promote common good. So the functions of the State have increased, manifold.
- 2. State - Power:** Political science deals about power. Power is ability to influence the behavior of others in accordance with one's own ends. It cannot be openly exercised, it is in unseen way. In modern democracies, political power is vested in the hands of Government. Political power has authority and responsibility. Ministers and bureaucratic people also exercise power over the area of their domains.
- 3. Citizens And Government:** Government is an essential instrument of the State, which realizes of its objectives. Politics deals about govt. and its nature and its organs. Govt. has three organs, namely; Legislature, Executive and judiciary. It makes laws and rules, implements them, maintains peace and order in the country and resolves clashes of interests. It also tries to ensure territorial integrity of the country.

Modern democratic Govt. performs many other functions for the development and welfare of citizens and Society, as a whole. This is especially so in a developing country like ours.

4. **Rights And Duties Of Citizen:** Political science deals about rights and duties of citizen. The Rights of citizen can be divided into three. 1) Civil Rights 2) Political rights and (3) Social Rights. The duties of citizen also can be divided into moral and political.
5. **Liberty And Its Safeguards:** Political science deals about liberty and its safeguards. The term liberty is derived from Latin word “liber”, meaning Free. Thus liberty means “Freedom”. Freedom is of paramount importance for the development of an individual’s personality. Liberty is mainly three kinds, namely; (1) Civil Liberty (2) Political liberty and (3) Economic liberty.

**Safe Guards Of Liberty:** Following are the safeguards of liberty: 1) Written constitution (2) Democratic system (3) Rule of law (4) Decentralization (5) Fundamental rights (6) Independent judiciaries, etc.

Political science deals not only the above said things but also it deals political concepts, Political theories, political behavior, comparative politics and international politics.

## 2. Write a note on the growth of the discipline of Political sciences.

**Ans:** Political sciences is one of ancient social sciences. The subject which had showed pleasure to study about State from beginning to ending. It is nothing but studies of State, Govt. and law.

1. **Growth of Political sciences:** Systematic study of Politics started with the Greeks in the 4<sup>th</sup> Century B.C. Greeks separated politics from ethics and made it an independent subject.
2. **Growth of Political Sciences in ancient period.:** Political Science begins with the study of Greek city states in Greece. The ancient Greek view about political Science was mainly ethical. Plato and Aristotle used, this term in comprehensive sense. Aristotle called Politics a “Master science” Greeks separated politics from ethics and considered it as moral values subjects. In contrast, the ancient Romans considered the legal aspect of politics more important for their governance.
3. **Growth of Political science in middle period:** During the middle ages, Political sciences became a branch of religious order of the church. Political authority was subordinated to the authority of the Church.
4. **Growth of Political Science in modern period:** In modern age, certain changes, had taken into place both in size and Functions of the State. As the state grew in size and became more complex, Political Science acquired a realistic and secular approach. After the industrial revolution, the role of the state, which was limited to maintenance of Law and order and providing defense against external aggression. By the time it was called as police State.
5. **Growth of Scientific approach in Study of political science :** After end of the second World war, the behavioral approach offered a new dimension of political science. The behavioral movement in American Political Science in 1950s, 60s placed a lot of emphasis on the science, part of politics. As a result, the study of political science on legal and philosophical approaches is replaced with more realistic and Scientific approaches. This behavioural approach shifts

the focus of its study from political institutions and structures to their functions. Behaviorism and concept of power changed the study of , nature of Political Science.

- 6. Marxist View:** In the middle of the 19<sup>th</sup> Century, Marxist approach presented the view of State in different dimension. The views, politics as a study of irreconcilable conflicts between the two classes “haves and have nots” In other words, the exploiters and exploited. For Marxists State always protects the interests of “haves”. The emancipation of the have notes will come only through a revolution, which would put an end to the institution of private property, thus changing the class Society to the classless Society, incidentally, the Marxist view of politics comes as a reaction to the liberal view of politics.

### **3. Write a note or essay on the Rights and duties of an individual:**

**Ans:** Political Sciences deals about “ Rights and duties of Citizen” . Rights are essential for the all round development of the individual and the progress of the Society. Without them, individual cannot lead better life. Therefore all democratic countries have granted rights.

The relationship between citizens and Govt. is reciprocal. The citizens are members of the State. The state recognizes certain rights and in turn expects certain duties from them. Rights and duties are closely, associated each other. In democratic countries, all sections of people will enjoy rights equally.

#### **Definition of Rights:**

1. “Rights are those conditions of Social, life without which no man can seek, in general to be himself at his best”. – **H.J.LASKI**.
2. “ Right is the authorities claimed by the individual and recognized by the State for the Social Welfare (**T.H.Green**)

**Classification Of Rights:** So far as the rights of the citizens are concerned, Rights are three kinds, namely : (i) Natural rights (ii) Moral and (iii) Legal rights again Legal rights three kinds, namely; (1) Civil Rights (2) Political Rights and (3) Social Rights. These rights are protected by Court of law.

- 1. Civil Rights:** Civil rights are applicable to all within the country. These rights are necessary for the freedom/liberty of the individual. The aim of these rights is to provide the basic conditions to lead a happy life. They include (1) the right to life and (2) Personal liberty (3) Right to freedom of speech Expression and through (4) Right to own property (5) Right to enter into contract (6) Right to equality before Law and equal protection by law etc. equality before law means, ‘ absence of special privileges’.
- 2. Political Rights :** These rights enable the individuals to participate in the affairs of the State. Political rights will be applicable to only citizens in country. They create Political consciousness among the people. Political rights include:

1. The right to vote.

2. Right to contest election.
3. Right to hold public Office.
4. Right to petition.
5. Right to criticize the govt.
6. Right to enforce rights.

**3. Social Rights:** These rights include (1) The right to some degrees of economic welfare and (2) Security, (3) The right to live the life of a civilized being according to standards prevailing in the Society.

**Duties:** Duties are what we have to do to others and also to one's self. It is an obligation of an individual towards other individuals living in the Society.

**Following are the important duties of citizen.**

1. It is the primary duty of citizen to pay taxes intime to the Government.
2. They should cooperate with the Govt. and abide the laws and rules.
3. Should help in preventing diseases by immunization and by keeping neighborhood clean.
4. They should have small families to help the Govt. check the population growth.
5. They should preserve public property.
6. Help in catching and punishing anti-social and anti-national elements.
7. The; citizens of different castes, religious, languages and regions should solve their problems by understanding and agreement and not by violent means.

#### **4. Explain the meaning and Safe guards of liberty:**

**Ans.** The term liberty is derived from Latin word Liber'' means Freedom. Freedom is very important for the development of an individual's personality. It's one of the important politics concepts.

Meaning of liberty. In Democracy it "implies" absence of unreasonable restrains on the conduct of the individuals". It is the provision of opportunities for the realization of one's own personality.

**Safe guards of Liberty:**

- 1. Written constitution:** It is only the constitution that confines the authority of the State. It also protects the liberty of the citizens.
- 2. Democratic System:** It is the Govt. of; the people in other forms of Govt. (Monarchy and dictatorship) criticism cannot be tolerated. It is the quality of democracy opposite parties given due respect in democracy.
- 3. Rule of Law:** Rule of Law or equality in eyes of the law is also an important safe guard of liberty. This is the bulwark against discrimination based on caste, Class, color, creed etc.,
- 4. Decentralization of Power:** Decentralization of power is another safeguard of liberty. History's witness to the fact that concentration of power has very often led to despotism.

- 5. Separation of Powers:** Separation of Power” i.e. The executive the legislature, and the judiciary; being separate, is a great ally of liberty. Montesquieu said.” Power should be a check on power”.
- 6. Declaration of Rights:** Declaration of rights of the individuals in the constitution is considered as an important safe guard of liberty. This way the Govt. can be prevented from encroaching upon the Freedoms of the people.
- 7. Independent judiciary:** Impartial judiciary is rightly called the watch dog of liberty. Without it the liberty of the individuals would be meaning less.
- 8. Social and Economic equality:** A large measure of Social justice or diffusion of Social and Economic privileges is a prerequisite for liberty. If privileges become the prerogative of the select few, then effective liberty would be denied to a vast majority.
- 9. Party system:** A well-knit party system is also indispensable for the preservation of liberty.
- 10. Vigilance of the people:** The best safe guard to liberty’s the “spirit of the people”. People should always be on their toes so ensure that their liberty is not encroached upon “eternal vigilance is the price of liberty.

**5. Explain the term justice and bring out the different concepts of it.**

**Ans.** “Justice” is the basis concept of political science. It is very old . It prevailed in all ages of history of mankind

**Meaning of justices** These term justice is derived from the Latin word “Jus”, which means a “bond”. Thus justice means “joining or fitting”. Polymerases, cephalus, Plato and Aristotle had expressed different opinion about justice. According to Barkar, “Justice is the reconciler and the synthesis”. The best general definition of justice is to “render to everyone his/her due”

**1) Aspects of Justice:**

**Distribution: Justice:** The concept of distributive justice – what is the proper way of distribution of income or social position in a given society. There are two major conceptions of distributive/Social justice.

1. One involves the notion of merit and
2. the other involves need and equality.

**ii) Equality Of Opportunity:**

- 1) Merit:** The first conception argues that each persons social position and wealth must be decided on the basis of merit.
- 2) Distribution based on equality:** When people talk of carrier open talents and equality of opportunity, they have merit in view. (Question is how to measure merit or talent). The liberals say that the price that some one can demands in a free market is the reasonable indicator of

his value to others. The Socialist critics are of the opinion that market receipts are often effected by chance and social background which have nothing to do with merit.

- 3) Need and Equality:** The conception views that goods, positions, etc. should be allocated on the basis of a person's needs. How to define needs? Everybody agrees on food, shelter and clothing. Communism believes that each person should define his needs and sufficient resources can be created under communism to meet all the needs of all individuals. However, others are of the opinion that needs can be satisfied by two agencies welfare state and market.
- 4) Equality of opportunity:** It does not mean "Identity of rewards" or identity of treatment, i.e. Same reward or treatment for everybody, regardless of efforts and circumstances. For example, there would be no equality if all students were awarded 60 marks regardless of the quality of answer. Ideally, those who write better should get higher marks. And this is compatible with equality. However, this type of affairs does not violate equality provided two conditions are met. A) absence of privileges and (b) equality of opportunity.

Allied to the concept of equality of opportunity is equality of (starting) conditions.

- 5) Over all Results:** This is another kind of justice, that does not take either merit or need into account. It takes into account the overall results. John Rawls' Theory belongs to this category. (In his theory, he argues that inequalities in the allocation of goods are permissible if and only if those inequalities work to the benefit of the least well-off members of Society. In this theory, a society having income inequality is just if and only if that inequality benefited the least advantaged members of that Society. For example, a professor's higher salary can be just if and only if it, directly or indirectly, benefits, so to say the brick layer.

On the other hand, Nozick argues in favor of traditional meaning of justice; as respect for law and entitlements.

- 6) Justice and its relationship with liberty and equality:** There is no unanimity among the political thinkers about the relations between liberty and equality. Two opposite views expressed by thinkers. The ultimate objective of both Freedom and equality is justice.

## II. Short Questions and Answers

4 Marks

### 1. Explain the meaning of Political Science.

Ans. In a word, political Science is study of "State, Government and Law".

Aristotle hailed as the father of political Science, says, Man, who lives in solitude entire has is beast or God. Therefore man is social animal. When Society faces, so many problems, it has become political organized. So man is political animal also. The Political organized society is called State.

**Origin Of The word Politics:** The word "Politics" is derived from the Greek word "POLIS" that means "city-State". The development of political science commenced with Greek City states before the 4<sup>th</sup> Century B.C. The subjects which studied about "Polis" was called politics.



The Greeks defined it as Social Science, which deals various problems concerning the State and Government.

### **Definition of Political Science:**

#### **1. Traditional view:**

1. "Political science begins and ends with State". Gar nar.
2. "Politics as that part of Social Science, which treats the foundations of the State and the Principles of Government" – Paul Janet.
3. "Political science deals with "State and Government" – Gilchrist.

#### **2. MODERN VIEW:** However, the definitions do not exhaust the meaning for politics. Politics also deals with "Power".

1. **H.D.Laswell** and Kaplan define political science as "The study of shaping and sharing of power" in a word, politics deals with both" State and power.

#### **2. Distinguish between political science and politics.**

Ans. The terms "Political Science and Politics" are often used interchangeably. However, the distinction between the needs to be understood.

### **Distinction between Political Science and politics.**

- 1) Some Scholars define politics to be the "**Sciences and art of Government**". But this is only a part of the total explanation of the subject of political science.
- 2) Now-a-days the term politics is used to mean the problems of the citizens interacting with the instrument of political power in one form or the other.
- 3) Politics still used the method of capture power and retain it. According to many political Scientists, the study of political sciences comprises, theory of the state, concept of Sovereign power, forms and functions of Government, making and execution of Laws, elections, political parties, rights and duties of citizen welfare state activities of the State and Government.
- 4) Politics implies practical politics. Practicing politics is different from studying it. Practical Politics includes actual formation of Govt. and working of the Govt. administration, laws and legislation.
- 5) It also includes "International politics peace and war, international trade and economic order, protection of Right. All these comprise the subject matter of the study politics. But international relations, States interdependent, disarmament etc. are the part of Political Science.
- 6) While the knowledge of Political science acquired through study, the skill of practical politics.
- 7) Politics refers to the process of actual happenings in society, and institutions, while political sciences reseed to its understanding in a systematic manner.

According to Aristotle man is a political animal. politics is an unavoidable fact in human life. So political Science is a theoretical one, whereas politics is a practical one.



### 3. Define liberty in their negative and positive dimensions.

Ans. Liberty occupies an important place in political theory.

**Meaning of Liberty:** The term liberty is derived from the Latin word “; Liberal from the Latin word “Liber” meaning ‘Freedom’. Thus liberty means “Freedom”. Freedom is par mound importance for the development of an individual’s personality. Historically speaking, the term liberty was initially defined as “absence of all restraints on an individual”. This is known as the negative concept of liberty.

#### **Liberty Has Two Aspects:**

1. **Negative aspects:** It argues that people are really free only when there are no restrictions or coercion. Early liberalism Championed negative liberty. **J.S.Mill** described “restraint as an evil” Mill was especially worried about the restraints coming from the State and Society.
2. **Positive aspects:** It argues that absence of restraint alone is not sufficient. The State should provide opportunities for the development of people By punishing a murderer the state does not kill liberty. On the contrary, it protects the liberty of many people in the Society. For liberty to be enjoyed by everyone, it should be reasonable restraints.
3. The freedom of many requires of Law on the freedom of some. Later liberals (H.J.laski) supported the positive liberty.

**Kinds Of Liberty:** “Freedom is not the absence of all restraints, but rather the substitution of rational ones for the irrational. (1) Natural liberty (2) Civil liberty (3) Political liberty (4)Economic liberty (5) Cultural liberty (6) National liberty.

### 4. What do you mean by equality of opportunity?

Ans. The modern concept of democracy is based on the Principle of equality.

Meaning of equality: “Equality means that no individual should be ;discriminated on the basis of caste, community, race, religion, ands creed “

It also means: Equality does not mean of rewards or identity of treatment, ie. Some reward or treatment for everybody, regardless of efforts and circumstances.

The State of affairs does not violate equality provided two conditions are met:

- a) Absence of privileges and (b) equality of opportunity.

#### **A) Absence of privileges:**

**Absence of privileges strengthens equality.** This means that no one be given facilities/ opportunities more than those given to others. Privileges create a situation of inequality, harms equality.

- B) **Equality Of Opportunity:** It means everybody should have the same chance to access public position and office. An example of the working of the ;equality of opportunity in India is the Civil

Services Examinations conducted by Union Public Service Commission (UPSC) . Any Indian graduate from any University of India can take the examination

Allied to the concept of equality opportunity is equality of (Starting) conditions. Many people are convinced that equality of conditions can only be achieved when the historically disadvantaged groups ( Like SC, ST, BC and Women candidates) are compensated through reservation of jobs. in U.S.A. PL is known as “affirmative action”.

### **5. Examine justice and its relationship with liberty and equality:**

Ans. There is no Unanimity among the political thinkers about the relations between Liberty and equality. The opposite views expressed by the thinkers for some “Both are regarded as contradictory and for others. They are regarded as complementarily. The ultimate objective of both Freedom and equality is justice.

#### **1. Liberty and equality regarded as contradictory:**

In 19<sup>th</sup> century, scholars like Lord acton and Detocqueville considered liberty and equality as in compatible. They thought that too much of stress on equality would lead to the dilution of liberty. Hence Lord Auction remarked, “The passion for equality made vain the hope for Freedom”. Many later scholars also agreed with them . Progressive taxation by the Welfare state was considered volatile of the liberty of the propertied people.

#### **2. Liberty and equality regarded as complementary:**

However, it remained a fact that proceeds of tax went towards financing the programmes to ameliorate the plight of the poor, the unemployed, the needy, the handicapped and the aged. In times of conflict like this, prevailing notion of justices decides what should be the right mix of liberty and equality. Thus freedom and equality are two aspects of justice. The ultimate objective of both Freedom and equality is justice.

## **III. Very Short Questions and Answers**

**2 Marks**

### **1. Meaning of Political Science:**

Ans. The word Politics is derived from Greek word “Polis” that means, “city-State”. Greeks defined it as Social Science, which deals with various problems concerning the State and Government. It was developed by Greek Political philosophers. According to Paul Janet “Politics treats the foundations of the State and the Principle of the Government.

### **2. Define Political Science:**

Ans. Political Science is one of the Social Sciences ( Aristotle hailed as father of Political Science).

1. According to Garner, “Political sciences begin and end with State.
2. According to Gill Christ “Political science is the study of State and Government.
3. According to H.D.Lasswell and Kaplan “Political Science as “ the studies of shaping and sharing of power.

**3. Who is the father of political and mention his famous book's name.**

Ans. Aristotle is the father of political Sciences and his famous book is called Politics. It is very ancient subject. In the beginning it deals Greek-city states.

**4. Define Rights:**

Ans. 1) "Rights are those conditions of Social life without which no man can seek in Seek in general to be himself at his best" **H.J.Laski.**

2. "Right is the authority claimed by the individual and recognized by the State For Social welfare. **(T.H.Green)**

**5. What is meant by "equality of opportunity"**

Ans. 1. Absence of privileges and (b) equality of opportunity.

**1. Absences of privileges:** Absence of privileges strengthens equality. This meant that no one be given facilities/opportunities more than those given to others. Privileges are at a situation of inequality.

**2 Equality of opportunity:** It means" every body should have the same chance to access public position and office.

**6. Mention the Civil rights:**

Ans. Civil Rights include:

1. Right to life. (2) Right to personal liberty (3) Right to freedom of speech.(4) Right to property (5) Right to enter into contract (6) Right to equality etc.,

**7. Mention political rights:**

Ans. **Political Rights include:** 1) Right to vote (2) right to contest in elections (3) Right to enforce Rights (4) Right to hold public position Office etc.

**8. Mention Social Rights:**

Ans. These rights include: 1) The Right to some degrees of economic welfare and Security (2) the right to live the life of a civilized being in the Society.

**9. Define liberty:**

Ans. The word "Liberty": is derived from the Latin word "Liber" meaning Free. Thus liberty means "Freedom.

According to Mckechnie. "Freedom is not the absence of all restraints but rather than substitution of rational one's for the irrational.

**10. What is the meaning of justices:**

Ans. The English word “Justice” is derived from the Latin word “Jus”, which means a bond. In the context of human Society, it means “Fitting so various members belonging to different fields in the overall system” Barkar says “it is the reconciler and the synthesis of political Values”.

**IV. One Word Questions and Answers (In Text Questions)**

**A. Fill in the blanks:1.1**

- a) Political science deals with both.....and.....issues (**empirical, normative**)
- b) Political Sciences studies.....and.....(**State –Power**)
- c) The term politics Political Science derived from the word..... (**Polis**)
- d) .....said Politics begins and ends with the State. (**Garner**)
- e) .....defined political Science as the Studies of “Shaping and Sharing of power. (**Kaplan**).

**B) Fill in the blanks 1.2**

- a) .....called Political Science a “master Science (**Aristotle**).
- b) Behaviouralism stressed on the.....part of political science. (**Science**)
- c) Who is the father of Political science.....(**Aristotle**)
- d) The.....view politics as a conflict between two classes of the haves and have nots (**Marxists**)
- e) Skill of practical politics is acquired through.....(**Craftiness**).

**C) Fill in the Blanks 1.3**

- a. The term ‘state’ was first used by.....(**Machiavelli**)
- b. The term liberty is derived from the....word liber(**latin**)
- c. ....liberalism advocated negative (**early**)
- d. your liberty to swing your.....end there where my knowledge begins (**Arm**)
- e. The freedom of many may require restraints of law on the freedom of .....(**Some**)
- f. eternal..... Is the price of liberty(**Vigilance**)

**D. Fill in the blanks 1.4**

- a. according to .....justice is the reconciler political values (**Barkar**)
- b. equality does mean identity of treatment
- c. justice for Nozick means respect for ..... (Entitlements)
- d. According to Rawls, inequality is permissible if and only if it benefits the .....(least well off)
- e. **Equality** means .....(absence of special privileges)



## Nation and State

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The evolution of modern nation state as a political organization took a long period of time . In ancient times human beings lived in communities. The obvious fact is that human beings are social animals and they cannot live in isolation. They belong to society. The collective life that they need assumes certain rules and regulations and gradually such a group life has led to the formation of political communities and the emergence of state . In its earlier form , the state was very simple in its organization . From that simple organization it has evolved and grown into the modern complex organization. Over the years it has acquired different forms and has become a reality found everywhere. In this lesson you will read about the concepts of nation, nationality and state . You will also learn about the elements of state .

### Objectives

After studying this lesson , you will be able to

- Explain the concept of nation and nationality ;
- Make a distinction between nation and nationality
- Describe the elements of nationality ;
- Identify the State as a political entity with sovereign power;
- Explain elements of state .

### I. Essay Questions and Answers

**8 Marks**

#### 1. Name the elements which help the formation of nationality and explain any two of them?

Ans: The word Nation and Nationality is derived from the Latin word natus , which means "to be born" or Birth. The inherent unity that originate among the masses is called a Nation. Nationality is the very life of a nation. Hansen , a British poet and writer defined "Nationality as the absolute loyalty of the people to the motherland forever and possessing emotional love and affection of its history, soil and customs and usages".

**Elements of Nationality :** It is very difficult to define nationality in terms of its elements . It is a psychological concept or a subjective idea and therefore it is impossible to find out any common quality or definite interest , which is every where associated with nationality . We can not say with certainty that this particular element makes for a separate nationality. We can at best list out some factors, which are as follows;

1. **Common Race :** Unity among the people will come with a strong emotional feeling of their ancestral common racial origin . Before 1948, the Jews were scattered throughout the world. But their common racial origin and emotional racial identity made them found a state called Isreal in Palestina. . But according to the anthropologists, no race is pure in the world . A modern nation is a mixture of or many racial people. Hence the concept common race is not at all an essential condition for the evolution of nationality .
2. **Common Language :** People having a common language promote cultural unity . They can easily understand the idea of each other , people always possess enormous love and affection for their mother tongue . language promotes nationalistic feelings among the people . a common language creates a cohesive society . Most of the European nations developed out of a common language as English language . But this factor is not a necessary one . Further in English language is a global language which is spoken in all parts of the world and it can not be associated only with English
3. **Common Geography :** People living in a common territory constitute one of the major elements of nationality . This is because such a people are likely to develop a common culture . this is also the reason why the countries are called as motherland or fatherland . We also see an identity of people with their country . Thus of Denmark are called the Danes , France as French , India as Indians , America as the Americans and so on . But this point should not be stretched too far . Common territory is not an absolute essential element of nationality . The Jews were scattered all over the world before the creation of Isreal . They had no common territory. Yet they constituted a strong nationality. Similarly, the poles were denied their home land for a long time before 1919 but they were a nationality .
4. **Common Religion :** A common religion plays a dominant role in bringing ideological and emotional unity among the people . Common religion plays a crucial role in popularizing the nationalistic sentiments. Religion was alone responsible for the emergence of nations like Pakistan and Isreal . But we should not forget the fact that Islam failed to prevent the disintegration of Pakistan and can not stopped the emergence of Bangladesh, with the spread of secular and pluralistic ideas among the people, religion as a factor in nation building became weak. More over the secular countries discourage religion in public affairs. People in India, U S A , Bratin follow the religion of their choice but still emerged as strong nations .
5. **Common Political Aspirations:** People living together in a territory having common political and economic aspirations play a dominant role in the emergence of a nation. It we observes the German and Italian unification movements , the American war of independence and India freedom

struggle, the common factor was that the people of these countries united together as a nation with a strong common political and economic aspirations.

So all the aforesaid factors are equally responsible in spreading the sentiments of nationalism, any single factor alone build a nation. Emotions and psychological factors of individuals too play a critical role in building nationalism.

## **2. What is the State? Briefly explain the elements of the State?**

Ans: The term State is central to the study of political science. But it is wrongly used as synonym for nation, society, government etc. The term State is also used as State management, State aid and so on. Also as the States of Indian union or the fifty State that make the United States of America. But in political science, we use this term differently; it has a more specific meaning. Some of the definitions of the concept of State are as follows:

1."The State is the politically organized people of a definite territory". -Bluntschli 2."The State is the people organized for law with in a definite territory".-Woodrow Wilson 3."A State is a territorial society divided into governments and subjects, claiming, with in its allotted physical area, a supremacy over all other institutions."Harold Laski 4."A community of persons, more or less numerous, permanently occupying a definite portion of territory, independent, or nearly so, of external control, and possessing an organized government to which the great body of inhabitants render habitual obedience."-Garner Now with standing the disagreement among the writers all agree in aseriling to the state the four elements. 1.Population, 2.Territory, 3.Government, 4.Sovereignty. A fifth element "International recognition" too is added. Now we explain these five elements of the State.

1. **Population:-** State is a human institution. So there shall be no State with out people. Antarctica is not a State as it is without any human population. Gurajada Appa Rao said "A State means not territory but people". But there is no agreement on the size of the population of a state among the political scientists. Plato fixed 5040 as the ideal population for a city state in Greece. Rousseau fixed 10,000 as ideal population of State. But in the modern vast territorial states like China, India and USA had 134crores, 120crores and 30crores population respectively. Small states like Andora and San Marino with a very small population. Countries like former Soviet union gave incentives to mother of large families. In India over population is a big problem while China has enforced a one child norm. Dictators like Mussolini had openly encouraged large population of the State. So no limit either theoretical or practical can be put on population. The population should be in proportion to the available land resources.
2. **Territory:-** Territory is the second element of a state. The land in which the people of a state made permanent residence is called the territory of a state. Nomadic tribes cannot be called as state. Love for the territory inculcates the spirit of patriotism. The Jesus before 1948 too were not called a state because they too scattered through out Europe. They are called a state (Israel) only since 1948 as they began to settle permanently in Israel. A State territory includes the Air



Space to certain heights and territorial waters to certain distance under the International law agreements. Like the size of population, there is no unanimity among the political scientists about the size of the territory of a state. The state like Russia, China, USA, India are having territory exceeding lakhs of square miles. State like Vatican, Andorra, San-marino are having territory not exceeding few square miles. Whether a state is big or small in size all states are equal under the International law. Sovereign equality of nations is recognized. The quality of land is also very important. If the land is rich in mineral and natural resources, it will make the state economically powerful. It should be able to provide enough food for its people. The states of west Asia were insignificant but they acquired prominence after the discovery of oil. Large territory of a state gives it strategic and military advantage during the times of war. Mostly the territory of a state is contiguous and compact though there are exceptions also. Before the creation of Bangladesh, the two wings of Pakistan were miles apart, Hawaii and Alaska are far away from the main territory of U S A.

3. **Government:** The third element of the state is Government. The agency created to enforce rules of conduct and ensure obedience among the people is called government. Without government, the people will be just a label of tongue with no cohesion and means of collective action. The government expresses and implements the will of the state. State continues its existence through the government. Government consists of few people who shape the will of the state and implement it. In fact to a lay-man state and government are one and the same. The government as a representative of the state exercises the sovereignty with the consent of people. The government has to protect the borders of the state. It has to maintain law and order. It has to give justice and promote the welfare of the people. It has to maintain diplomatic relations with other countries. The state cannot and does not exist without government. The government represents the will of the people.
4. **Sovereignty :** Sovereignty is the most essential and distinguishable feature of a state. A people organized for law within a definite territory is not a state. They must be internally supreme and free from external control. The sovereignty of the state has two aspects internal sovereignty and external sovereignty. Internal sovereignty is the supreme power of the state over individuals and institutions within its boundaries. This supreme power of the state can not be shared with any other state or institution. The external sovereignty of the state is its independence, unaffected by any other external authority in shaping its foreign relations. Though sovereignty is the supreme element of the state, it is exercised by the government in the name of the state.
5. **International Recognition :** A state can not be called a state unless and until it is recognized by the fellow sovereign states as per the international law. It means, a state or its government has to be formally recognized by other states. But for the survival and continuity of a state, international recognition is not an essential condition. Peoples republic of China survived as a state though not recognized by many states till 1971. But no state survives for long without international formal recognition. States will develop and mutually benefit not in isolation but only when they recognize and co operate each other.

## II. Short Questions and Answers

4 Marks

### 1. Explain Distinction between Nation and Nationality?

**Ans:** The Distinction between the nation and nationality is thin one. This is more so because both terms are derived from the same word. Some even consider them as interchangeable. But certainly there are differences between the two, which can be summed up as follows:

1. Nationality is a cultural. It is a psychological, which is generated in a group of people having geographical unity and who belongs to a common race, common history, religion, customs and traditions, common hopes and aspirations. But nation is a people organized, a people united. What unite people in a nation are feelings of oneness. Nation gives an of an organization.
2. Nationality is basically a cultural term, it is political only incidentally as Hayes tells us. Nation is basically a political term, cultural only incidentally. This, however, does not mean that nationality is not political and nation is not cultural concepts.
3. The evolution of the state has shown that there may be state with more than one nationality and there may be nationalities spread over more than one state. The former USSR, as a state, had a considerable number of nationalities. Thus a state may or may not co-exist with nationality.
4. Nation and nationality are distinct terms in yet another sense. Some use the term nationality to signify the principle that creates a nation. This means that nationality precedes nation. In terms of origin, therefore, they are not at par. The Jewish nationality created the Jewish nation.

### 2. Define the following terms :

- A. Nation and Nationality:** The word Nation and Nationality is derived from the Latin word Natus, which means “to be born “ or Birth. The inherent unity that originate among the masses is called a Nation . Nationality is the very life of a nation. Hansen, a British poet and writer defined “Nationality as the absolute loyalty of the people to the motherland forever and possessing emotional love and affection of its history, soil and customs and usages “.
- B. Government:** The third element of the state is Government .The agency created to enforce rules of conduct and ensure obedience among the people is called government . Without government, the people will be just a lable of tongue with no cohension and means of collective action. The government expresses and implements the will of the state .Stats continues its existence through the government. Government consists of few people who shape the will of the state and implement it. In fact to a lay-man state and government are one and the same .The government as a representative of the state exercises the sovereignty with the concent of people. The government has to protect the borders of the state . It has to maintain law and order. It has to give justice an promote the welfare of the people . It has to maintain diplomatic relations with other countries. The state cannot and does not exist without government. The government represents the will of the people.

- C. State :** The term State is central to the study of political science. But it is wrongly used as synonym for nation, society, government etc. The term State is also used as State management, State aid and so on. Also as the States of Indian union or the fifty State that make the United States of America. But in political science, we use this term differently; it has a more specific meaning. Some of the definitions of the concept of State are as follows: 1."The State is the politically organized people of a definite territory". -Bluntschli 2."The State is the people organized for law with in a definite territory". -Woodrow Wilson 3."A State is a territorial society divided into governments and subjects, claiming, with in its allotted physical area, a supremacy over all other institutions."HaroldLaski 4."A community of persons, more or less numerous, permanently occupying a definite portion of territory, independent, or nearly so, of external control, and possessing an organized government to which the great body of inhabitants render habitual obedience."-Garner
- D. Nation - State :** The word "NATION" and "STATE " are used as complementary to each other . But these two words are different and had a different meaning in political science. the word Nation in English is originated from two Latin words called "Nates and Natio " which means birth. Population, territory, government, and sovereignty are the characters of a state . But Nation in political science is an emotional and psychological feeling The "inherent unity" that originate among the masses is called a Nation Though the words nation and nationality originated from a similar word in Latin, they have a different meaning in English .

A people may be treated as a state though they lack emotional and psychological inherent unity. For example . Before the First World War Austria – Hungary was a state but not a nation.

If the people of a nation lived together in a state it may be called a state or nation state .Lord Bryce defined the nation as "A nationality which has organized itself into a political body , either independent or desiring to be independent " It means , if the people of a country are called to be a nation . They must posses the characterstics of a nationality and they have to organize themselves as a political entity or body and they must be politically free or possess a strong desire to be politically independent. We may call India a nation before 1947 but not a state because it has all the characters of a nationality, politically organized but not independent. But its strong desire for political independence made us to call India a Nation.

### III. Very Short Questions and Answers

**2 Marks**

#### 1. State

Ans : "State is a territorial society divided in to government and subjects, claiming with in its allotted physical area a supremacy over others associations".

#### 2. Nation

Ans : As far as the word "nation" is concerned , Lord Bryce writes that a "Nation is a nationality which has organized itself into a political body independent or desiring independent " The presence of

a political system differentiates Nation and Nationality. Unless the Nationality develops in to a political system, the group cannot be called a nation. In other words, the nationality is the first state and the nation is the second state.

### **3. Nationalism :**

Ans : The nationalism without traces in history the 19<sup>th</sup> century could develop as a powerful idea in the human history by the .20 centuries .The nationalism , which raised its head in Europe , could spread in Asia leading to unity and independence in many countries . Now a days there are many Nation States in all the continents .Nationalism is a concept with much importance , complexity and wider scope .

Nationalism, in common terms is psychic power, which promotes unity among the residents of a country to protect their rights and defend their independence from external in roads. It encourages the people to work for national welfare without selfishness It activates the people under alien rule . It generates power to fight for political independence.

### **4. Nationality :**

Ans : Nationality : Lord Bryce says that “a nationality is a population held together by certain ties , such as Language and literature , ideas , customs and traditions in such a way so as to feel itself a coherent unity distinct from other population similarly hold together by like ties of their own “ . A group of people residing in a single is ,having same traditions and customs and having fraternity through same language and blood relation can also be called as nationality .

### **5. Government :**

Ans; The third element of a state is Government. The agency created to enforce rules of conduct and to ensure obedience among the people is called government. Without government, the people will be just a lable of tongue with no cohesion and means of collective action . The government exprees and implements the will of the state . State continues its existence through the government. Government consists of few people who shape the will of the state and implement it .

### **6 Multi Nation State :**

Ans : A modern state is undoubtedly a multi-nation , a multi-ethic , a multilingual and a pluralistic state where people of different origin live together , coexist and tolerate each other and still emerge as a strong Nation . The vibrancy and dynamism of USA and India are the perfect examples of a multi-nation states The vibrancy and dynamism are due to (according to Arnold Toynbee) ‘ cross fertilization of races and cultures ‘ .

### **7 International Recognition :**

Ans: A state cannot be called a state unless and until it is recognized by the follow sovereign. States as per the international law. It means, a state or its Government has to be formally recognized by other states. But for the survival and continuity of a state, international recognition is not an essential condition .

## 8 Nation State :

Ans: Though much publicity and significance was attributed to the formation of a Nation-State in the world, a Nation state is not a nation state in its purity of the term nation. The slogans like “One Nation- ONE Country “ or “Nation –Self- determination or “Pure Race’. Lost their relevance in today ‘s world.

## IV. One Word Questions and Answers (In Text Questions)

### Fill in the blanks:

1. In its derivative term nationality means belonging to the **same** racial stock
2. It is very difficult to find **racial purity** because of increased fusion of blood due to immigration, inter-caste and inter-racial marriages
3. The development of nationality is definitely **a more of a psychological** phenomena
4. Nationality is derived from the Latin word **Natus**
5. The state exists for the sake of **good** life.
6. The essence of State is in its monopoly **of coercive power**.
7. The state has a right to demand **obedience** from the people
8. According to the Marxists, State is a **class organization** ..
9. In a classless society, there is no **State**
10. The four elements of State are **Territory ,population ,Government and Sovereignty**.
11. plato fixed the number of persons of the state at **5040** and Rousseau at **10,000**.
12. Love for the country inculcates the spirit of **patriotism**.
13. **Land ,water** and **air space** comprises the territory of the state.
14. A unitary form of government is good for a small state and a **Federal system** is ideal for big states.
15. The agency created to enforce rules of conduct is called **Government**.
16. Sovereignty has two aspects **Internal** and **External**.



## Distinction Between Society, Nation, State and Government

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You have studied about the concept of the state , its elements , and concepts such as nation nationality and the distinction between nation and nationality in the last lesson . You have also known, in the previous chapters , the meaning of Political Science and Politics and what makes the two concepts, especially about “Society” , “Government” and “other associations” and thereafter distinction between them

### Objectives

After studying this lesson, you will be able to

- Know the meaning of society, government and other associations;
- Distinguish between state and society;
- Distinguish between state and government;
- Distinguish between state and other associations;
- Distinguish between state and nation.

### I. Essay Questions and Answers

**8 Marks**

#### 1. Distinguish between State and Society?

Ans. For a proper understanding of the state , it is necessary to distinguish it from society . For a long – time ‘ State and Society ‘ were treated as identical . No distinction was drawn between the two . Plato and Aristotle treated them as one and the same . they opined that political life and social life of the people are not different .But now they came to regarded separate institutions .They differ from each other in many aspects which are listed below .

State	Society
1. The Scope of State is narrower than the scope of society	1. The scope of Society is wider than the scope of State
2. State has definite territory For example: Christian Buddhist societies	2. Society has no definite territory .
3. State is posterior to society It came into existence after origin of the sae	3. Society is prior to the State . It is much older than the State
4. State has Sovereignty	4. Society has no Sovereignty.
5. State is organized associations Society	5. My be organized or unorganized.
6. State is human association	6. Society is natural institution.
7. Membership in the state is compulsory .	7. Membership in the society is optional
8. State has an agency (Govt) To realize its will.	8. Society has no agency to realize its will .
9. State can compel or force its members to follow its laws .	9. Society can not comple or force its members to follow its customs and traditions .
10. The highest form of punishment in the state is death sentence.	10. The highest form of punishment in the society is social boycott .

## 2. Distinguish between State and Government?

Ans: The terms State and Government are often used synonymously . Plato and Aristotle made no distinction between them . Stuart Kings like James I , James II in England said “I am the State” Mussolini and Hitler also made no distinction between them. For the first time, John Locke distinguished the State from the Government .

State	Government
1. State has four elements . Namely :Population, Territory ,	Government and Sovereignty Government is one of the Elements of the State
2. We should not oppose the State	Government can be opposed
3. State is more or less Permanent	Government is temporary.It can be changed because of Elections or Revolutions.
4. State is Master	Government is a agent to the State .It fulfills the objectives of the State.
5. Membership in the State is Compulsory.	Membership in the Government is not Compulsory.
6. We can not see he State.	We can see the Government.



7. Territory is an important element to the State	Government can function with out Territory .
8. All the States have got same Elements like Population ,territory . Ex: Unitary ,Federal, Parliamentary, Presidential Governments	Government ,and Sovereignty . Governments are of different types .
9. All the Citizens (Rulers and Ruled ) are members in the State .	Rulers only are the members in the Government.
10. The Power of State are unlimited .	The Powers of the Government are limited by the Constitution.
11. The Sate has Sovereignty which is the most important element to the State.	Government enjoys the Sovereignty on the behalf of the State.

### 3. Distnguish between State and Other Associations?

Ans : There are number of associations formed in Society to fulfill human needs . They are as natural as human beings. Associations are not creation of State . But State Co-ordinates all associations. There are many differences in their features , aims and nature which are mentioned below .

State	Associations
1. Membership of the State is Compulsory for the people.	Membership of association is Voluntary for the people .
2. State has the element of Sovereignty.	Associations does not have the element of Sovereignty.
3. State is permanent institution.	Associations are temporary institution .
4. An individual can become a member of only one State at a time.	An individual can become a member of several associations at a time .
5. State works for the benefit of all people	Associations work for the benefit of their members only .
6. The basis of the State is coercion and Compulsion .	The basis of associations is persuasion and Co-operation .
7. State creates, regulates and destroys associations	Associations do not create, regulate and destroy the State .
8. State has unlimited aims.	Associations have limited aims .
9. The scope of the State is limited to a definite area.	The scope of associations not limited to any definite area .
10. People do not have the right to oppose the State.	People have the right to oppose the associations .

Thus he State and Associations differ from each other in several aspects .

#### 4. Define the terms :

- a) **Nation :** The term Nation is taken from two Latin Words Called “Natus “ and “Natio” which means birth or race . Nation refers to the idea of common feelings among the people . Nation in a political sence is an emotional and psychological feeling .

Lord Bryce defined as the nation as “ A Nation is a Nationality which has organized it self in to a political body , either independent or desiring independent “ .

The group of the people who have Nationalism is called Nationality . If the Nationality gets success in getting separate State it is called Nation. That means Nationalism + State = Nation.

b) **Government :**

Government is the third element of the state. It implements the objectives of State . The State can not work or run without the help of government . So there must always be a government in the State .The Government is different types . They are Unitary, Federal, Parliamentary, presidential systems. The Governments consists of three organs : (1) Legislature , (2) Executive and (3) Judiciary .

Legislature makes rules and Regulations for administration. Executive implements them, Judicial explains the meaning to the laws and provides Justice to people.

c) **Associations :**

Associations, If the people gathered together for a common purpose, is called Association .They are formed for the Development of individual personality, Broadly Association can be divided into four types,

They are 1) **Economic Associations** Eg ; merchant’s Associations Labour Unions etc

2) **Political Associations** , Eg: State , Government ,Political Parties etc

3) **Cultural Associations** . Eg; Y.M.C.A. , Y .W C. A ,Hari Hara Kale Bhavan etc .

4) **Religious Associations** , Eg : Temple , Church , Mosque , Guru war etc

## II. One Word Questions and Answers (In Text Questions)

### Fill in the blanks:

1. Polis , for the ancient Greeks , was both the city and the **State** .
2. Society , in terms of origin , is **Prior** to the State .
3. Society being instive is a **natural** organization, the State, being mechanical is an **artificial** organization .
4. The state exists to act as a **means** of society
5. The society provides an **end** to the means of the state .

6 The area of society is **Voluntary** cooperation; the area of the state is **mechanical** action

**Choose the correct answer from the words given in the brackets;**

7. The features of an association are (a)organized group of people (b) **particular** interests , and (c)joint efforts . (common , particular )
8. The membership of the state is compulsory.(voluntary, compulsory)
9. Family , as an association , is **prior** to the state. (prior , later )
10. The other association do not possess **Sovereignty** the state does . (sovereignty , population , fixed territory )

**Answer the following questions. Give one word only;**

- 11 Which organ of the government makes laws ?

Ans: **Legislature** .

- 12 Which organ of the state enforces laws ?

Ans: Executive.

13. With whom does sovereignty lay ?

Ans: **State** .

14. Through which organ does the state express its will ?

Ans: **Government**.

15. If the state is an abstraction, what is its concrete form ?

Ans: **Government** .

**Fill in the blanks :**

- 16 Before the World War I , Austria – Hungary was a state , but not a **Nation**
- 17 When a nation attains statehood , it becomes a **Nation State** .
18. **Laws** bind the people together in a state .
19. While the state is a **political** concept , the nation is a culturally entity .
20. **Homogeneous** people form a culturally social group .

# 4

## Major Political Theories

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### Introduction

You will learn, in this lesson, about major political theories; Liberalism, Marxism and Gandhism. Liberalism and Marxism have caught the attention of the people in most parts of the twentieth century. Liberalism emerged from the Enlightenment, the Glorious revolution in English, the American War Independence and the French Revolution. It has been with us as the Political philosophy of the capitalist West. Marxism rose as a reaction against the liberal-capitalist society. With the disintegration of the USSR in 1991, the last major Socialistic/Marxist State, Marxism has lost much of its popularity. Gandhism, while challenging the ideals of both liberalism and Marxism, presents not only a critique of both liberalism and Marxism, presents not only a critique of both these ideologies, but also provides relevant alternative theories.

### Objectives:

After studying this lesson you will be able to:

- explain the meaning of liberalism and its features.
- identify the basic tenets of Marxism.
- describe the theory of dialectical materialisms, historical materialism,
- Theory of surplus value, theory of class struggle, revolution, dictatorship
- Of proletariat, and the classless society.
- Know contribution of Lenin and Mao to Marxism.
- Analyze the relevance of Marxism.
- Explain Gandhi's views on State, decentralization, democracy, Swadeshi, trusteeship cottage/ small scale industries etc.,

- Describe the significance of purity of means to achieve ends;
- highlight Gandhi's emphasis on Swaraj, Satyagraha, Non –violence and
- Explain Gandhi's steadfast opposition to discrimination based on race and his lifelong efforts for the upliftment of the Harijans/Dalits.

## I. Essay Questions and Answers

8 Marks

### 1. Explain the Memory and Basic Features of Liberalism (Principles)

Ans. Liberalism stands for a liberal Society. (The theory of Liberalism ) gained significance during the 19<sup>th</sup> Century. It dominated the best minds of the west. It is opposed to violence and revolutionary changes . It emphasizes the importance of the Rights of people. It accepts evolutionary and constitutional changes.

#### Features of Liberalism:

The following are the characteristic features of liberalism.

- 1. Individual Liberty:** It is essentially an ideology of liberty. For, Liberals, liberty is the very essence of human personality. It is a means to one's development.
- 2. Individual – Centred Theory:** Liberalism begins and ends with individual. Individual is the centre of all activities. Individual is the end while all other association, including state, are the means, which exist for the individual. Individual is the centre around which all things move.
- 3. Capitalist Economy:** Liberalism advocates free –market economy. It believes private property. Maximum profit is the only motive. Capitalist mode of production and distribution as the only essence the market forces as the controlling the means of economy.
- 4. Limited State:** It advocates concept of "Limited State"> The liberals view the state as a means for attaining the good of the individual. They oppose Totalitarian State, because more powerful state means a less free individual. John Locke. Also it pleaded for state should have limited functions.
- 5. Opposed To Traditions/Superstitions:** Liberalism is against to the traditions and superstitions. It stands for reason and rationalism. As against the feudal model of man as a passive being, it favors model of man, who is more active and more acquisitive.
- 6. Democracy:** Liberalism is an exponent of democratic Government. It seeks, a Government that functions according to the constitution, a govt. that upholds the rule of law, and secures the rights and liberties of the people. Liberalism is a combination of democracy and individualism.
- 7. Welfareism:** Liberalism closely associated with welfares. Welfare is the idea that state works for the welfare of the people. The liberal concept State activity is one where the State serves the people in a welfare state is "Social Service State".

## 2. Explain The Basic Principles Of Communism/ Marxism.

Ans. Communism is the most popular theory in modern times. Scientific Socialism or Marxist theory was propounded by German Philosopher, Karl Marx and his friend Fredric Engel's. "After destroying the capitalistic Society, Classless and Stateless Society should be established under the Leadership of proletariat dictatorship" in the objective of communism. Communism stands for the creation of an equal and free Society.

### Basic Principles of communism/Marxism.

Marx had explained entire communistic theory and strategies in following writings like, Communist Manifesto, 1848 and Das Capital (1867)

1. **Dialectical Materialism:** The dialectical materialism was borrowed from Hegel. It is the sum-total of the general Principles which explain as to why and how "Social changes take place. The Social changes take place because of the material factors and through the dialectical materialistic method. (Society is not constant but has been changing since its beginning). Dialectic method depends upon the two opposite accusations. It is a scientific principle. Thus thesis and anti thesis contradicted with each other produced a new thing called synthesis. Marx applied this theory to shed basic ideas. He came to conclusions that only economic factors were responsible to bring about changes in history.
2. **Historical Materialism:** It is also called economic or materialistic interpretation of history. The Marxian explanation of history is that it is a record of the self development of productive forces, that the society keeps marching on its path of economic development. History is the history of numerous socio-economic formations. Primitive communistic, slave-owning, feudal, capitalist and thereafter the abolition of the capitalist society would be a classless society but with a state in the form of proletariat dictatorship, which follows the socialist society. I.e. classless and Stateless society.
3. **Theory Of Surplus Value:** It is another characteristic of Marxism. Marx says that it is the worker who creates value in the commodity when he produces it. But he does not get what he produces, he gets only the wages. The surplus value is the difference between what the value a labor produces and what he gets in the form of wages. In simple words, the laborer gets the wages, the employer, the profit. This surplus value makes the rich, richer and the poor, poorer, Marx says, it is the real source of exploitation.
4. **Theory Of Class Struggle:** This is another basic principle of communism. According to Marx, the history of the existing society is the history of class struggle. Class struggle is the characteristic of class societies. Class struggle is of mainly three types; economic, ideological, political.

Marx says that at every stage in history, mankind is divided into two classes, the exploiter and the exploited, the oppressor and the oppressed. In the Capitalist society, the two main classes are the bourgeoisie and the proletariat. Their interests clash each other. A day will

came when the capitalist system will be replaced by the socialist system. Means of production will be under the control of State. Class struggle is inevitable establishing the communist society.

- 5. Dictatorship Of The Proletariat:** Proletariat character ship means” the rule of the workmen class: workers establish the proletariat dictatorship. Class struggle results in the establish ment of the dictatorship of the proletariat. This is a transitional stage in the attempt to establish communist Society. In this stage the labor will be units together and destroy , th capitalist system means production will be nationalized. Private sector ands private property should be permitted. Afterwards the communist society is created. That society will be a classless and stateless society.
- 6. State Withers Away :** Marx says that after the establishment of communism the State withers away. That is classless and stateless Society.
- 7. Communist Society:** In this system there is no need of State Government. Once the Socialist society completely established, the workers state will not be no needed, it will wither away. It is a classless society in the since that all are workers where so saver they work, in the office, in the factory or in the fields; each gets job according to one’s ability. The communist society which follows the socialist society. There will be no private property. Every one will be given basic needs.
- 8. Relgion Is Opium:** In communist society religion is opium. No religion exists, because religion and traditions are the abstracters for the woman development. In the opinion of Marx, religion becomes an instrument in the hands of capitalists to exploit the laborers.

### **3. Discuss Dilectical Materialism As a Faeature Of Marxism:**

Ans: Dialectical materialism is one of the basic principles of communism. It was sorrowed from Hegel. The roots of Marxism was is the theory of Dialectical materialism. The dialectics of Hegel States that in the Universe reality could be achieves by contrasting opposite things with each other. Thus thesis ands anti-thesis when contradicted with each other produced a new thing called synthesis. Thus assertion, negation ands reconciliation were cyclical process of life.

So Dialectical materialism is the sum total of the general principles which explain as to why and how social changes take place. The social changes take place because offs the material factors and through the dialectical materialistic method. It is a triple method. According to Karl Marx.

- 1. Relation of productions:** Relation of productions constitute the basis sofas the Society at any given point of time. What are called the Social relations sarongs the people are, the relations of production.
- 2. Productive Forces:** Productive Forces constitute those elements which originate fro the relations of production but which’s, though opposite to the latter, promise more production through newer methods.
- 3. New Mode Of Production:** It is the result of the struggle between the relations of production and productive forces at a matured stage of their development. . The new modes of production



has the merits of both the relations of production and productive forces, hence a higher stage of economic development. According to Marx, the world moves due to the effect of the clash of opposites. This principle was applied to the social system and an attempt was made to show how the capitalist system would change. After the abolition of the capitalist system, the communist society would be both classless and stateless.

Thus he applied dialectical materialism to the economic classes. He believed in the materialistic interpretation of history. He conceived that material conditions, i.e. forces of production and distribution, were the moving forces in history. He came to the conclusion that only economic factors were responsible to bring about changes in history.

#### 4. Explain The Basic Principles of Gandhism.

Ans: Mahatma Gandhi is one of the greatest political theorists of the modern times. He is more known as the "Father of the Nation" in India. He is a pioneer of new ways of life in political, economic and social spheres. He led the freedom struggle in India against the British during the first half of the 20<sup>th</sup> century.

**Writing That Influenced Gandhi:** Gandhi was very much influenced by the teachings of Hinduism, Jainism, Buddhism, Christianity, Bhagavad-Gita, the works of Tolstoy and Ruskin.

#### Basic Principles Of Gandhism:

1. **Truth:** Gandhi is a firm believer of Truth. To him, "Truth is God, and God is truth. One should search for truth. A society based on truth turns into a society of Love, kindness, of peace and progress. It opposes suppression, inequality on all that is bad and inhuman. It is essential for the development of the individual and progress of the Society.
2. **Non Violence:** Gandhi regarded non-violence (Ahimsa) as the Supreme Law of human existence. Literally, Ahimsa means, non-killing, but for Gandhi the concept has a wider meaning. It means "avoiding injury to any thing on earth in thought, word or deed. His concept of non-violence is dynamic, positive and constructive. He used this as a weapon for socio-economic needs brought many changes in political and social fields. He achieved independence through non-violent means.
3. **Satyagraha:** It stands for self-purification. It is a unique combination of truth, non-violence and self-suffering. Gandhi used the weapon of Satyagraha to fight evil and bring changes in social, economic and political spheres. By Satyagraha Gandhi meant non-violent struggle for the sake of truth. The person going on Satyagraha tries to win evil with good, anger with love and falsehood with truth. Satyagraha has some techniques. They are (1) Non-cooperation (2) Civil disobedience (3) Hijrat (4) Fasting and (5) Strike.
4. **Sarvodaya:** Sarvodaya means welfare to all. The application of Sarvodaya principle to Society results to establish a classless society. Sarvodaya aims at bringing changes without bloodshed. In other words it is basically non-violent. Sarvodaya stands for "the good of each with the good of all"

- 5. Trusteeship:** Gandhiji's idea of trusteeship was unique. It aimed at establishing cordial relations between capital and the labour. Declaring all property to be the property of the community as a whole. Gandhiji pleaded that all the employers (industrialists, capitalistic etc.) are the trustees of what they hold. The rich people have to take responsibilities to establish a welfare state. By this methods, it is possible to establish socialism in the State by peaceful methods.
- 6. Religion And Politics:** Gandhiji firm believer in the close relation between politics and religion. He said that politics separated from religion becomes a corpse. So, politics and religion should never be separated.
- 7. Ends And Means:** Gandhiji rejects the view that "Ends justify the means". In his view ends and means are closely related. The former grows out of the latter. For him, the means are as important as ends. He insisted that ends and means must go together. For Gandhiji, means justify the ends.
- 8. Decentralisation:** Gandhiji aimed at building the Local self Govt. on the basis of decentralization. It leads to "Gram Swaraj". He favored decentralization in Political and administrative spheres.
- 9. Participation Democracy:** Gandhiji is a real democrat. He opposed dictatorship in any form. He favored democracy because it is this system that people can have a share in administration. Gandhiji felt that democracy helps to pool all the material from all the sections for collective welfare.

**5. Do you agree with view that Gandhism is critique of the western civilization.**

Ans: Gandhiji was a critic of western civilization. His complaint against western materialism is that it destroys the very essence of spiritualism. He regarded the western type of man as an automatic individuals with all flesh and no soul.

As against the western model of State, Gandhi advocated the Rama Rajya; as against the western style of managing things through the centralizing forces, he stood for a decentralized policy. As against materialism, industrialization and capitalism, he made a strong plea for Cottage industries and the theory of trusteeship.

- 1) State :** Gandhiji opposed 'the western State represented' violence in concentrated form: It is a soulless machine. Gandhism stands for a non-violent state based on, 1) the consent of the people (ii) the near unity in the society. Gandhiji advocated decentralization of power: Both political and Economic. The essence of decentralization is that all powers flow from below and group, in ascending order. (From individual to National level). The spirit of Gandhian Rama Rajya is that it is a self regulating system where ever one is one's own ruler.
- 2) Decentralization:** Gandhiji's concept of decentralization has an economic aspect. He advocated village economy. Through the promotion of village, small, cottage industries. He was for the self reliant village economy. His concept of Swadeshi is "That spirit which requires us to serve our immediate neighbors.

- 3) **Cottage Industries:** Gandhiji favored the revival of indigenous industries, so that people could have enough to eat. In his opinion, any kind of economy which exploited people and helped concentrated wealth in fewer hands, stands condemned.
- 4) **Trusteeship:** His concept of trusteeship aimed at establishing cordial relations between the capital and labor. Declaring all property to be the property of the community as a whole. Gandhiji pleaded that all employers (Industrialists, capitalists etc.) are the trustees of what they hold. For Gandhiji no individual is the owner. All works and all are the workers, the profit belongs to the community not owner. The employees are the Trustees, and not the masters.
- 5) **Ends And Means:** Gandhiji rejects the view that “Ends justify the means”. According to Gandhiji, ends and means constitute two aspects of the same reality. They form an organic whole. Ends grow out of the means. As are the means, so are the ends. In his view ends and means are closely related. The former grows out of the latter. For him, the means are as important as ends. For Gandhiji, means justify the ends.
- 6) **Society And Sarvodaya:** Sarvodaya means welfare to all at stands for human beings equality. The application of Sarvodaya principle to society results to establish classless society. It aims at bringing changes without blood shed, Sarvodaya is the greatest goal of the members of society. It is the welfare of all. It is the good of the individual together with the good of all the individuals. The concept of good is moral and spiritual as well.

## II. Short Questions and Answers

4 Marks

### 1. What is meant by liberalism?

Ans: Liberalism stands for liberal society. The theory of liberalism gained significance during the 19<sup>th</sup> century. It dominated the best minds of the west. It is the theory of reforms in economic, social and Political fields.

1. **Meaning Of Liberalism:** It believed that the authority of the state must be limited and individuals must have more liberty and freedom. The essence of this theory is that the Government must have limited power and people must have more Freedom. According to H.J.Laski, Liberalism is hardly less a habit of mind than a body of doctrine. It means “Liberalism is too dynamic and too Flexible a concept to give it a precedes meaning”
2. **According to Sartori** “Liberalism is the theory and practice of individual liberty, juridical defence and the constitutional state”
3. **According to Koerner** “Liberalism begins and ends with the ideals of individual freedom, individual human rights and individual human happiness”

Liberalism is a theory of reforms for it has stand for reforms in economic, social and political fields. It is theory of liberty, individual liberty, which stands for development of human personality. It is also theory of democracy, which favors the constitutional Govt. based on the consent of the people.

## **2. What do you mean by “withering away” of the State.**

Ans: In communist theory, at last, State will wither away, i.e. Classless and Stateless society. The class struggle results in the establishment of the dictatorship of the proletariat. This is a transitional stage in the attempt to establish communist society. In this stage, the capitalist system will be completely destroyed. Denatures of communism in this stage.

1. There will only one communist party in the State.
2. No private sector exists.
3. Economic equality is maintained.
4. There will be no right to property.
5. All means of production will be under the state ownership.
6. Revolutionary methods are adopted.

**State Withers Away:** Marx says that after the establishment of communism the State withers away, that is 1) Classless and Stateless. It is a class society in the sense that all are workers where so ever they work, in the office, in the factory i.e. Classless and Stateless society or on the fields. Each get job according to one's ability. The communist society which follows the socialist society, will be both the classless society and the Stateless Society.

## **3. Discuss dialectical materialism as a feature of Marxism.**

Ans: It is one of the principles of communism. It is borrowed from Hegel. Dialectical materialism means discussion: It is the sum total of the general principles. Which explain as to “why and how” social changes take place. The social changes take place because of the material factors and through the dialectical materialistic method. Society is not constant but has been changing since its bringing. Dialectic method depends upon two opposite actions. It is a scientific principle. Thus thesis and anti-thesis contradicted with each other, produced new thing called synthesis. Marx applied this theory to his basic idea. He came to conclusion that only economic factors were responsible to bring about changes in history.

## **4. Is Marxism relevant today? Explain.**

Ans: Marxism is the most popular theory in the modern times. It has attained a significant position in social and political thought. Its appeal crosses all boundaries. Its adversaries are as much convinced of its strength as are its admirers. And yet its shortcomings are obvious.

1. Changes do not occur simply because of the classes between the opposing classes.. History is indebted to class cooperation as well for its development.
2. Material factor isn't sole factor in explaining the whole complex of society's intricacies. In deed, man does not live by bread alone, it is true that he cannot live without it.
3. Marxism has underestimated the worth and Strength of National sentiments. To say that the workers have no fatherland of their own as Marx stress is to make them parentless.

4. Marxism also underestimated the importance of the State. To say that the State is a class institution, an oppressive and exploitative one is to oversimplify things.
5. Marxism, in practice, has failed, whatever be the reasons. One chief reason is its centralizing tendency, the dictatorship of the proletariat becomes the dictatorship of the communist party, the party's dictatorship becomes, the dictatorship of one man, be that a Stalin or Mao.
6. In the Soviet Union, the reform movement (Glasnost) initiated by Gorbachev marks the beginning of the end of communist movement not only in Europe but almost the world over.
7. The communist China has introduced numerous liberalization measures in its economy and polity.

The relevance of Marxism as an alternative ideology before the world is no more unquestioned.

### 5. What was Gandhiji's concept of Ramarajya?

Ans: The Society of Gandhian dreams was like the state of Ramarajya, in which the welfare of all the people will bloom. Sarvodaya is the greatest good of all the members of the Society. It is the welfare of all. It is the good of the individual together with the good of the individuals.

Gandhiji says that there must be unity, integrity and social cooperation in the village. Friendly relations must be maintained in the villages. All the social problems should be solved by "AHIMSA" and LOVE". Because of this there will be perfect justice and social order. Gandhiji says that this is Ramarajya.

In this Society, the individuals treat their personal property, industries, Land business as trusteeship. They receive what they need and give, the rest to the deserving is the basic principle of the concept of Trusteeship of Gandhi.

## III. Very Short Questions and Answers

**2 Marks**

### 1. What is meant by liberalism.

Ans: Liberalism stands for liberal society. It is the theory of reforms in economic, social and political fields. It believed that the authority of the State must be limited and individual must have more liberty and freedom.

1. According to Sartori, "Liberalism is the theory and practice of individual liberty, judicial independence and the constitutional state.
2. According to Koerner, "Liberalism begins and ends with the ideals of individual freedom, individual human rights and individual happiness".

### 2. Dialectical Materialism.

Ans: It is one of the principles of communism. It is the sum total of the general principles, which explain as to "why and how" social changes take place. The social changes take place through dialectical material method. It depends upon two opposite acts. I.e. Thesis and anti-Thesis contradicted with each other produced new thing called synthesis. Marx believed that economic factors were responsible to bring about changes in history.

### **3. Historical Materialism**

Ans. Marx says that History is full of conflicts between the rich and the poor or the haves and have-nots or the capitalist and workers. Every where and always the workers and the poor people were exploited by the class of the Rich. Because of exploitation, the poor people have to unite. Under the proletariat dictatorship, a classless and stateless society would be formed.

### **4. Theory Of Surplus Value**

Ans. Karl Marx says that it is the worker who creates value in the commodity when he produces it. But he does not get what he produces he gets only the wages. The surplus value is the difference between what the value a labor produces and what he gets in the form of wages in simple words, the laborers get the wages, the employer, the profit. This surplus value makes the rich richer, and the poor, poorer.

### **5. Class Struggle**

Ans. According to Karl Marx, the history of the existing society is the history of class struggle. Class struggle is the characteristic of class societies. Marx says that at every stage in history, mankind is divided into two classes- the exploiter and the exploited, the oppressor and oppressed. ACC to MARX. This class struggle is inevitable for establishing the communist society. Then only means of production will be under the control of proletariat.

### **6. Proletariat Dictatorship**

Ans. Means the rule of the working class, the workers establish proletarian dictatorship. Class struggle results in the establishment of the dictatorship of proletariat. This is a transitional stage in the attempt to establish communist society. In this stage workers will be united together and destroy the capitalist system means of production will be nationalized.

### **7. State Withers away**

Ans. 1) Marx says that after the establishment of communism the state withers away. That is classless and stateless society. 2) Once the socialist society is completely established, the workers state will not be needed, it will wither away. (3) In this society there will be no private property.

### **8. Gandhi's Doctrine Of Satyagraha**

Ans. Gandhiji used the weapon of Satyagraha to fight evil and bring changes in Social, Economic and political spheres. By Satyagraha, Gandhiji meant non-violent struggle for the sake of truth. Satyagraha has some techniques. 1) Non-cooperation (2) Civil disobedience (3) Hijrat (4) Fasting and (5) Strike.

### **9. Trustee Ship**

Ans. Gandhiji's concept of trusteeship aimed at establishing cordial relations between the capital and Labour. Declaring all property to be the property of the community as a whole. Gandhiji pleaded that all employers are the trustees of what they hold. No individual is the owner all are workers.

### **10. Ends And Means**

Ans. Gandhiji rejects the view that "Ends justify the means". In his views ends and means are closely related. The former grows out of the latter. For him, the means are as important as ends. For Gandhiji "means justify the ends."



### 11. Sarvodaya

Ans. Sarvodaya means welfare to all. It stands for human beings all are equal. The application of Sarvodaya principle to society results to establish classless society. It aims at bringing changes without bloodshed. It is the good of the individual together with the good of all individuals.

## IV. One Word Questions and Answers (In Text Questions)

### 1. Fill in the blanks. 4.1.

1. The enlightenment heads refused to accept the moral goals as.....Truths.(**Absolute**)
2. The French revolution declared.....equality, and fraternity as great political values (**Liberty**)
3. The 17<sup>th</sup>, 18<sup>th</sup> century.....was also known as negative liberalism. (**Liberalism**)
4. Megovern said liberalism is composed to two elements democracy and..... (**individualism**)
5. Liberal economy is..... Economy (**capitalistic**)
6. The liberal state is a Social.....State. (**Service**)
7. Liberalism is the political philosophy of the..... Class .(**capitalist**)

### B) Fill In The Blans:

1. Maximum ;is a reaction against.....(**capitalism**)
2. Maraxim is regardless as the political philosophy of the.....class (**working**)
3. For the Marxist, the.....factory is the decisive factor in individual/ Social life's (**Material**)
4. In Marxian scshseme,sa athe relatioins of production give bright to ..... of .....  
(**forces, production**)
5. From each according to his abilities to each accordsing to his.....  
It is the essence of communism.. (**work**)
6. From each according to his work teach according to his.....  
It is the essence of communism (**needs**).
7. For Marx, revolutions are.....of history. (**Engines**)

### C) Ansser Th Following Questios. Give One Word Only. 4.3.

1. What type of State Gandhiji had advocted? (**Ramarajya**)
2. What strategy did Gandhiji suggested for employer.....employee cordial Relationship?  
(**Trustee ship**)
3. With what name did Gandhiji address the people of the Scheduled castes? (**Harijans**)
4. Which of the two ends and means , Ganadhism advocated. (**Means**)
5. What did Gandshiji call the greatest good of all thke individuals, especially the poor, the poorest of the poor. (**Sarvodaya**)





# Preamble and The Salient Features of the Constitution of India

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## Introduction

The Constitution of India was framed by a Constituent assembly. This Assembly was an indirectly elected body. It had laid down certain ideals to be included in the constitution. These ideals included commitment to democracy, guarantee to all the people of India Justice, equality and freedom. It had also proclaimed that India will be a Sovereign Democratic Republic.

The constitution of India begins with a Preamble. The Preamble contains the ideals, objectives and basic principles of the constitution. The salient features of the constitution have evolved directly and indirectly from these objectives which flow from the Preamble. In this lesson you will learn about the framing of the Constitution, its political philosophy as reflected in the Preamble and the salient features of the constitution.

## Objectives

After studying this lesson you will be able to:

- Recognize the significance of the Constitution as the fundamental law of the land.
- Describe the composition of the constituent Assembly and the role of the drafting committee and the objectives of the constituent assembly.
- Describe the Preamble to constitution and its relevance.
- Identify the basic principles of Preamble and their reflection in the constitutional provisions.
- Identify the main features of the constitution of India.
- distinguish; between a written and an unwritten; as well as a rigid and a flexible
- Constitution
- Analyze the nature of the Indian constitution.

- Establish the importance of fundamental rights, fundamental duties and directive principles of state Policy and
- Recognizes the special features that distinguish the Indian constitution from other constitutions of the world.

## I. Essay Questions and Answers

8 Marks

### 1. Explain the salient features of the Indian Constitution.

Ans: The constitution of India was framed by the constituent Assembly. The Assembly was constituted in 1946. All prominent leaders like Jawaharlal Nehru, Dr. Rajendra Prasad, Sardar Vallabhai Patel, Dr.B.R.Ambedkar were the members of the Assembly. Dr. Rajendra Prasad was elected as the President of the constituent Assembly. Dr.B.R.Ambedkar was the chairman of the drafting committee. The constituent Assembly completed its task by November 26, 1949, by taking 2 years, 11 months, 18 days to make the constitution. The constitution was enforced with effect from 26<sup>th</sup> Jan., 1950.

**1. Written Constitution:** The Indian Constitution is mainly a written, lengthiest Detailed constitution in the world. It was framed by the constituent Assembly, and was adopted on a fixed date as a document. The original constitution had 395 Articles and 8 schedules.

**2. A Combination Of Rigidity And Flexibility:** The Indian constitution is a unique example of rigidity and flexibility. The Constitution of India provides for the three categories of amendments. In the first category amendment can be done by the two houses of the parliament with simple majority before sending it to the assent of the President Ex: boundaries of the State, legislative council, adopting of new States, etc. In the second category amendment requires a special majority such an amendment can be passed by each house of parliament by the 2/3<sup>rd</sup> majority of the members present and voting and send to the President for his assent which can not be denied. Ex. Fundamental rights, Directive Principles of State Policy. In the third category besides the 2/3<sup>rd</sup> majority mentioned in the second category, the same has to be approved also by at least 50% of the State legislatures. Ex. Powers and functions of the Indian Parliament, Powers, structure of Supreme Court, and centre, State relations etc.,

Thus the Indian constitution provides for the type of amendments reasoning from simple to most difficult procedure depending upon the nature of amendment.

**3. Federal Policy:** India has adopted a federal structure. The constitution of India does not use the term federal state. It says that India is a "Union of States". It prescribed unitary system in emergencies and federal system on ordinary occasions.

In a federation there are two distinct levels of Governments. There is central or Union Government for the whole country. Also there is union Government for each unit or State. There is distribution of powers between the Union and State Governments and the supremacy of the judiciary are the essential features of federation. All these features profoundly seen in

the Indian Constitution . In fact the Indian federal setup stands out with certain distinct unitary features. The makers of our constitution while providing for two sets of Government at the centre and in the states provides for the division of powers favoring the Central Government, appointment of the Heads of the State Government by the Central Government, Single unified judiciary, single citizenship, indicates the unitary nature of our federalism. Therefore it is said that India has a quasi-federal setup.

**4. Parliamentary Democracy:** India has introduced British Parliamentary form of Democracy both at the Centre and State. In a Parliamentary Democracy there is a close relationship between the legislature and executive. The cabinet is selected from among the members of legislature and it is responsible to the legislature. In this system the head of the state is nominal. In India the President is the head of the State. Constitutionally he enjoys numerous powers, in practice the council of ministers headed by the Prime Minister really exercises these powers. The President acts on the advice of Prime Minister and council of Ministers.

**5. Fundamental Rights:** Every human being is entitled to enjoy certain rights, which ensure good living . The constitution of India guarantees these rights in the form of Fundamental rights. These rights are justifiable and are protected by the judiciary. In case of violation of any of these rights one can move to the Court of Law for their protection. The constitution of India provides for six fundamental rights. They are:

1. Right to equality.
2. Right to Freedom.
3. Right against exploitation.
4. Right to religion.
5. Cultural and educational rights and
6. Right to constitutional remedies.

**6. Fundamental Duties:** Fundamental duties were added to our constitution by the 42<sup>nd</sup> amendment, in part IV and Article 51A. It provides a list of 10 fundamental duties for all citizen of India. They are.

1. To abide by the constitution and respect national flag and national Anthem.
2. To cherish and follow the noble ideas which inspire our National struggle for freedom.
3. To protect the Sovereignty unit and integrity of India.

These duties are obligations which every citizen is expected to perform.

**7. Directive Principles Of State Policy;** Directive Principles of state Policy which have been adopted from the Irish constitution is another unique feature of the constitution of India. They were included in our constitution in order to provide social and economic justice to our people .They aim to establishing a welfare state in India. These principles are not justiciable. These principles are:

1. Adequate means of livelihood.
2. Equal pay for equal work.
3. Fair distribution of wealth etc.,

**8. Single Integrated Judicial System:** India has a single integrated judicial system. The Supreme Court stands as the apex court of the judicial system. Below the Supreme Court are the High Courts. Thus the Indian judiciary stands like pyramid.

**9. Independence Of Judiciary:** Indian judiciary is independent and impartial. The Indian judiciary is free from the influence of the executive and the legislature. The judges are appointed on the basis of their qualification and cannot be removed easily.

**10. Single Citizenship:** In a federal State usually the citizen enjoys double citizenship(as in the case of U.S.A.) In India there is only single citizenship. It means that every Indians is a citizen of India, irrespective of the place of residssence or place of birth. All citizens of India can secure employment anywhere in the country and enjoy all the rights equality in all the parts of India.

**11. Universal Adult Franchise:** Indian democracy functions on the basis of “One person one vote” . Every citizen of India who is 18 years of age or above is entitled to vote is the elections irrespective of Caste, Sees , race, religion or status. The Indian constitution establishes political equality in India, through the method of Universal Adult Franchise.

**12. Emergency Provisions:** The constitution makers also fore saw that there could be situations when the Government could not run as in ordinary times. To cope with such situations the constitution provides for emergency provisions. There are three types of emergency. A) Emergency caused by war external aggression or Armed rebellion. B) Emergency arising out of the failure of the constitutional machinery in State. ( C ) Financial emergency.

## 2. India is “Sovereign, Socialistic, Secular, Democratic and Republic” Explain.

Ans: The preamble of the Indian constitution explains the objectives of the constitution , about the structure of the governance ands the ideals to be achieved in independent India. It is because this preamble is considered tobe the key of the constitution. The preamble after 42<sup>nd</sup> amendment declares India as a “Sovereign, Socialist, Secular Democratic Republic”

**1. Sovereignty:** Sovereignty is one of the foremost element of any independent State. It means absolute independence. A country cannot have its own constitution without being sovereign. India is a Sovereign country. It is free from external control . It can frame its internal and external politics of its own.

**2. Socialist:** The words Socialist and secular was incorporated to the constitution in 1976. with 42<sup>nd</sup> amendment in the preamble. The word Socialism has been used in the context of economic planning. It also means commitment to attain ideals like removal of inequalities, provision of minimum basic necessities to all equal pay for equal work. The Directive principles of State

policy were included in the constitution to provide economic equality and social justice to the people.

**Secularism:** In the context of secularism in India, it is said that India is neither religious nor irreligious nor anti religious. It implies that in India there will be no state religion. The State will not support any particular religion. This has two implications: a every individual is free to believe in and practice any religion he belongs to and (b) State will not discriminate against any individual or group on the basis of religion.

**Democratic:** The preamble of the constitution States that the constitution belongs to the people. The last line for the preamble says “hereby adopt evact and give ourselves this constitution. Democracy is generally known as Government of the people by the people, for the people. This measures that the Government is selected by the people and accountable to the people. The Democratic principles are highlighted with the provision of universal Adult Franchise elections fundamental right and responsible Government.

**Republic:** The preamble also declares India as a Republic. It means that the head of the State is the President, who is indirectly elected and he is not a hereditary a ruler as in the case of British. There has been no place for hereditary.

## II. Short Questions and Answers

4 Marks

### 1. Explain about the constituent Assembly of India, its working?

Ans: A constitution is the basic fundamental law of a state. It should be prepared and approved by the constituent Assembly.

**The Constituent Assembly:** The constitution of India was framed by the constituent assembly. The assembly was constituted in 1946, on the recommendations cabinet mission plan. The members of the constituent Assembly were indirectly elected by the members of the existing provincial Assemblies. In addition there were members nominated by the rulers of the princely State. With Independence of India, the constituent Assembly became a fully Sovereign body. The total Strength of the constituent Assembly was 389.

**Working Of The Constituent Assembly:** The Constituent Assembly was chaired by the President of the Assembly. Dr. Rajendra Prasad was elected as the President of the assembly. The Assembly worked with the help of large number of committees and Sub-Committees. The committees were of two types: a) relating to matters concerning with procedure. (b) Concerning important issues.

In addition there was an advisory committee primarily advised reform outside. The most important committee was the drafting committee. Dr. B.R.Ambedkar was the Chairman of the Drafting Committee. The task of the drafting committee was to prepare the draft of the constitution . The constituent Assembly met for 166 days, and took 2 years 11 months 18 days to prepare the constitution.

## **2. Explain the objectives of the Indian constitution (or) What is the philosophy of the Indian Constitution.**

**Ans:** The constitution of Independent India was framed in the background of about 200 years of colonial rule. Therefore the framers of the constitution were concerned about the aspirations of the people, integrity, and unity of the country and establishment of democratic Society. Their main aim was to give India a constitution which will fulfill the cherished ideas of the people of the country. The constitution of India was framed by the constituent Assembly. Dr. Rajendra Prasad was elected as the President of the Assembly. This Assembly took 2 years, 11 months and 18 days to prepare the constitution. The Constitution of India commenced with a preamble. It provides the guidelines to the constitution.

**Objectives Of The Constitution:** Conscious efforts were made to have consensus on different issues and principles. The consensus came in the form of "Objective Resolution" moved by Jawaharlal Nehru in December, 17, 1946, which was almost unanimously adopted on Jan., 22, 1947.

Following are the objectives of Constitution.

1. India must be established as complete Sovereign and republic country.
2. To introduce democratic system in India based on the power of the state should belong to all.
3. Fundamental rights should be granted to all the citizens.
4. Special protection must be given to religious minorities, like Muslims, Christians and Sikhs.
5. Special attention towards National integrity, Unity and Sovereignty.
6. Promote international peace and Security.

Preamble clearly stated that "Sovereignty in India belongs to the people of India.

In the light of these "Objectives" the assembly completed its task by November, 26, 1949. The constitution was enforced with effect from January, 26, 1950.

## **3. What is the importance of the Preamble of the Constitution.**

**Ans:** The constitution of India commences with a preamble. Preamble is like an introduction or preface of a book. As an introduction it explains the purpose and objectives of the constitution. The preamble of the constitution is based on the objectives resolution moved by Jawaharlal Nehru.

The preamble reflects the aims, aspirations and objectives of the nature of the constitution. The Preamble provides the guidelines of the constitution. The preamble of the constitution after 42<sup>nd</sup> constitutional amendment is as follows:

**Preamble:** We the people of India, having solemnly resolved to constitute India into a "Sovereign, Socialist secular Democratic, republic, and to secure all its citizens.

**Justice:** Social economic political, liberty of thought expression belief, faith and worship, equality of Status and of opportunity and to promote among them fraternity assuring the dignity of the individual and the unity and integrity of the nation. In our constituent Assembly this Twenty-six day of November, 1949 do hereby adopt enact and give to ourselves this constitution.

**Importance Of The Preamble:** The preamble explains the objectives of the constitution in two ways a) about the structure and governance (b) about the ideals to be achieved in Independent India. The objectives which are laid down in the Preamble are:

I) Description of Indian State as Sovereign Socialist secular .

Democratic republic.

II) Provision to all the citizen of India.

a) Justice social economic, political.

b) Liberty of thought, expression belief, faith and worship.

c) Equality of Status and opportunity.

d) Fraternity assuring dignity of the individual and unity of integrity of the Nation.

Justice Madhokar pronounced that preamble is the essence of Indian constitution. Justice Hidayatulla praised the preamble as “the soul of the constitution”.

#### 4. Explain the ideals of “Justice, liberty and equality of the Indian constitution”

Ans: The struggle for freedom was not only against the British rule but their struggle should also usher in an era of restoring the dignity of men and women, removal of poverty, and end all types of exploitation. Such strong motivation and cherished ideals had promoted the framers to lay emphasis on the provisions of justice, liberty, and equality to all the citizens of India.

**Justice:** Justice promises to give people what they are entitled to in terms of basic rights to food, clothing, housing, participating in the decision making and living with dignity as human beings. The preamble covers all these dimensions of justice, Social, Economic and Political. Besides, granting of political justice in the form of universal adult Franchise or the Representative form of democracy.

**Liberty:** The preamble also mentions about liberty of thoughts and self-expression. These freedoms have been guaranteed in the constitution through fundamental rights. Though Freedom from want has not been guaranteed in the fundamental rights, certain directives to the state have been mentioned in the Directive principles.

**Equality:** Equality is considered to be the essence of modern democratic ideology. The constitution makers placed the ideals of equality in a place of pride in the preamble. All kinds of inequality based on the concept of rulers and the ruled, or on the basis of caste and gender were to be eliminated. All citizens of India should be treated equally and extended equal protection of law without any discrimination based on caste, creed, birth, religion, sex etc. Similarly equality of opportunities implies that regardless of Socio-Economic situations into which one is born he will have the same chance as everybody else to develop his talents and choose means of livelihood.



## 5. Explain briefly India as a Federal State.

Ans. India has adopted a Federal structure. The constitution of India does not use the term “Federation State” It says, that India is a “Union of States”

**Federal Features in India Constitution:** In a federation there are two distinct levels of Government. There is one Government for the whole country which is called the union or Central Government. Also there is Government for each state. There is a distribution of powers between the Union Government and the State Governments. Since India is a federation, such distribution of functions becomes necessary. There are three lists of powers such as Union List, State list and the concurrent list. The supremacy of judiciary is an essential feature of a federation so that the constitution could be interpreted impartially. In India the Supreme Court has been established to guard the constitution.

**Unitary Features In Indian Constitution:** In fact the Indian Federal setup stands out with certain distinctive unitary features. The makers of our constitution while providing for two sets of Government at the centre and in the states provided for division of powers favouring the Central Government in administrative legislative, financial matters, appointment of the Head of the State Government by the Central Government, single unified Judiciary, single citizenship indicate the unitary nature of our federalism. Therefore it is said that India has a quasi-Federal setup.

## 6 Explain the significance of the written constitution.

Ans. The constitution of U.S.A. was the first written constitution in the world. A written constitution is framed at a given time and comes into force or is adopted on a fixed date as a document. The Written constitution clearly lays out the basic principles of the State, the rights and duties of the people. In the written constitution, the amendment procedure of the constitution should be specified.

The Indian constitution is mainly a written Constitution. It was framed by the constitutional Assembly. Our constitution was framed over a period of 2 years 11 months and 18 days. It was adopted on 26<sup>th</sup> November, 1949 and enforced on January 26, 1950. It is to be noted that there could be bodies or institutions which may not be included in the constitution, but form an important part of Government. Ex. In Indian context one can mention the planning commission.

The Indian constitution is mainly; a written lengthiest and detailed constitution in the world. The constitution has 395 Articles, 8 Schedules and 22 parts. Many factors are responsible for the bulkiness of India's constitution. Almost all matters relating to the composition and organs of Union, States as well as union territories, besides the interest articulation of tribals, backward classes, backward castes, Anglo Indians and minorities were mentioned in the constitution. Several matters concerning fundamental rights, fundamental duties, Directive principles of State Policy, Union State relations were clearly mentioned in the constitution.

### 7) Distinguish Between A Rigid And Flexible Constitution.

Ans. Lord Bryce classified constitutions into Rigid and Flexible on the basis of amending process. A constitution which can be amended easily is called Flexible. For Example England, Neiziland, etc. A constitution which can not be amended easily is called rigid. For Ex. America, Switzer land etc. But Indian constitution is unique example for rigidity and flexibility. Following are the differences between rigid and flexible constitution.

<b>Rigid constitution</b>	<b>Flexible constitution</b>
1. Law making procedure differs from constitution amending procedure.	1. Law making procedure does not differ from constitution amending procedure
2. Constitutional law is different from ordinary Law.	2. Constitutional law does not differ from ordinary law.
3. Constitution must always be a written one	3. Constitution need not be written. It may be written or unwritten.
4. Federal Government must always have a rigid constitution.	4. Unitary Government may be either Rigid or flexible constitution.
5. It is definite and certain. It ensures stability in Governmental policies.	5. It is indefinite and uncertain. It does not ensure stability in Governmental policy.
6. It provides remedial measures for safeguarding the rights of the people.	6. It does not provide remedial measures for safeguarding the rights of the people.
7. It is best suited to politically backward communities.	7. It is best suited to politically advanced communities.

### 8. Describe the meaning and relevance of secularism in Indian context.

(or)

**How far India is secular State discuss.**

Ans. India is one of the greatest secular countries in the world. The secular views were emerged in India for a long back. The great religions like Hinduism, Buddhism, Jainism, Sikkism are born in this soil. India equally tolerated and allowed to flourish other world religions like, Christianity, Islam, Judaism and Parsee.

After getting independence, the constitution of India stands for a secular country.

**Secularism – Its Meaning:** In the context of secularism in India, it is said that “India is neither religious, nor irreligious nor anti religious; It implies that in India there will be no state religion.

**Indian Constitution – Secular Concept:** Hence, India does not uphold any particular religion as the official religion of the Indian State. The following provisions of the constitution reveal the secular character.

1. The term secular was added to the preamble of the constitution.

2. The Preamble secures to all citizens of India liberty of belief, faith and Worship.
3. The State shall not deny to any person equality before law.
4. The State shall not discriminate against any citizen on the ground of religion.

Articles 14 to 17 and 25 to 28 of our constitution deal with secular views in India. From 25 to 28 articles particularly deal with right to religion. This has two implications.

- a) Every individual is free to belief in, and practice, any religion he/she belongs to and
- b) State shall not discriminate only individual or group on the basis of religion.

**9) Write brief notes on:**

**a) Independence of judiciary:**

Ans. Indian judiciary is independent and impartial. (The Indian judiciary is free from the influence of the executive and legislature. The judges are appointed on the basis of their qualifications and cannot be removed easily.

Hence the supreme Court and High Courts in India act independently without subject to the control of the executive and Legislative organs. Judiciary enjoys independence in the matters of appointment of judges, their tenure, salaries and allowances, service conditions, promotion etc. as per the constitution. The Judges are appointed on the basis of their qualifications and cannot be removed easily. Our constitution clearly states that the Executive and legislative authorities should refrain from interfering in the functions of the judiciary.

**b) Single integrated judicial system:**

Ans. The Indian constitution establishes a independent and impartial judiciary system. India has a single integrated judicial system. The Supreme Court stands as the apex court of the judicial system. Below it, there are high courts at the state level. Under a High Court, there is a hierarchy of sub-ordinate courts, that is, district courts and other Lower Courts. The High Courts control and supervise the Lower Courts. The Indian judiciary, thus, stands like a pyramid with the Lower Courts as the bases, High Courts in the middle and the Supreme Court at the top. This single system of Courts enforces both the central laws as well as the State laws.

**c) Universal adult Franchise:**

Ans. The Indian constitution adopts universal adult Franchise as a basis of elections to the Lok Sabha and the State Assemblies. Indian democracies functions on the basis of "one person one vote". Every citizen of India who is 18 years of age or above is entitled to vote in the elections irrespective of caste, sex, race, religion or status. The voting age was reduced to 18 years from 21 years by the 61<sup>st</sup> constitutional amendment act of 1988. The Indian constitution establishes political equality in India through the method of Universal adult franchise.

### III. Very Short Questions and Answers

2 Marks

#### 1) Write about constituent Assembly:

Ans: The constitution of India was framed by the constituent assembly. The assembly was constituted in 1946, based on the recommendation of cabinet mission. Some of its members were indirectly elected others were nominated by the rulers of the princely states. The total strength of the constitutional Assembly was to be 389. Dr. Rajendra Prasad acted as its Chairman. B.N. Rau acted as its constitutional advisor. Nehru, Patel, B.R. Ambedkar, etc. were its members. The constituent assembly enacted the Indian Constitution on November 26, 1949 and it came into force on January 26<sup>th</sup>, 1950.

#### 2) Drafting Committee:

Ans: The most important committee was the drafting committee. Dr. B.R. Ambedkar was the Chairman of the Drafting Committee. The task of the committee was to prepare the draft of the constitution. It consisted of 7 members. Some of them are: Alladi Krishna Swami Ayyar, K.M. Munshi, and D.P. Khaitan etc. S.N. Mukherjee was the Chief Drafter. The drafting committee prepared the constitution of India. It took less than six months to prepare its draft. In all it sat only for 141 days.

#### 3. Name the Objectives of the Indian constitution:

Ans: Following are the objectives of the Indian Constitution..

1. India must be established as a complete Sovereign and republic country.
2. To introduce democratic systems in India, based on the power of the State should belong to all.
3. Fundamental rights should be granted to all its citizens.
4. To promote international peace and security, etc.

Preamble clearly stated that "Sovereignty in India" belongs to the people of India.

#### 4. Preamble To The Constitution

Ans: Preamble reflects the philosophy and aims of the Indian constitution. It proclaims the context and purpose of the constitution. Preamble is considered to be the key of the constitution. The objectives, which are laid down in the preamble are:

- 1) Description of Indian state as "Sovereign, socialistic, Secular, Democratic and Republic" (Socialist, Secular added by 42<sup>nd</sup> Amendment).

#### 5) India Is Republic:

Ans: The Preamble affirmed that India is a republic state. According to all representative offices, in

India, are filled by elections. Republic means that the head of the State, the President of India, who is indirectly elected and he is not hereditary ruler as in case of the British Monarch. So India became republic on 26<sup>th</sup> January, 1950.

**6) India Is Secular State**

**Ans.** After gestating independence, the constitution of India stands for a secular country. Secular state is one in which the State and the Government do not interfere in the regions activities of the people. State remains neutral on the religious affairs. The preamble of the Indian constitution declared India as a secular state. As such, there is no official religion in India.

**7) Describe The Parliamentary Democracy:**

**Ans.** India has a parliamentary form of democracy. In India parliamentary democracy there is a close relationship between the legislature and executive. The cabinet is selected from among the members of legislature. The head of the state is nominal in India, President of India enjoys numerous powers but in practice, the council of Ministers, headed by Prime Ministers, exercises real powers.

**8) Independent Judiciary:**

**Ans.** Indian judiciary is independent and impartial. Hence the Supreme Court and High Court in India act independently without being subject to the control of the Executive and Legislative organs. Judiciary enjoys independence in the matters of appointment of judges, their tenure, salaries and allowances service conditions, promotions etc. as per the constitution.

**9) Single Citizenship:**

**Ans.** In a federal state, usually citizens enjoy double citizenship like in America. But our constitution conferred single citizenship to all persons who are born in India and who reside in India for a specific period. All the citizens of India can secure employment anywhere in the country and enjoy all the rights equally in all the parts of India. It would promote national unity and integrity among Indians.

**10) Universal Adult Franchise:**

**Ans.** The Indian constituent adopts universal adult Franchise as a basis of elections to the Lok Sabha and the State Assemblies. Indian democracy functions on the basis of “one person one Vote”. Every citizen of India who is 18 years of age or above is entitled to vote in the elections irrespective of caste, sex, race, religion or status. The Indian constitution establishes political equality in India through this universal adult franchise.

### 11) Bicameralism:

Ans. Our constitution provided for bicameralism at the Union and some states. Accordingly the Union parliament comprises of two houses – normally, Lok Sabha and Rajya Sabha. While the Lok Sabha, Lower house is a popular chamber the Rajya Sabha, upper house, represents the interests of States. So our parliament is highest law making body in the country.

## IV. One Word Questions and Answers (In Text Questions)

### Intext question 5.1

#### A) Tick out (✓) the correct response:

1. The constitution of a country provides the basis for.
  - a) Punishment of criminals.
  - b) **Governance of the Country.✓**
  - c) Relationship between the citizens.
  - d) Trade relations with other countries.
2. The constituent Assembly of India was composed of the members:
  - a) Nominated by the British Government.
  - b) Nominated by Political parties.
  - c) **Elected by provincial Assemblies and nominees of the princely states.✓**
  - d) Elected by people.
3. The constitution of India was drafted by:
  - a) Advisory committee.
  - b) Secretariat of the Assembly.
  - c) President of the Assembly.
  - d) **Drafting committee.✓**

#### B) Intext questions: 5-2:

- 1) Secularism in India means.....  
(Rejection of religion/**respect of all the religions**/respect for one's own religion)
2. Socialism in India means.....(State ownership of all industries/**State's major role in economy**/equal distribution of wealth)
3. India became a republic on.....(15<sup>th</sup> August, 1947/26<sup>th</sup> November, 1949/**26<sup>th</sup> January, 1950**)

#### C) Intext questions: 5-3:

Fill in the blanks:

1. Justice means giving people what they .....(**are entitled to**/want)
2. The constitution of India guarantees.....(**Liberty of thought and expression**/Freedom from want)

#### D) Intext questions: 5:4:

Fill in the blanks:

- a) A constitution is a body of.....(Rules, **basic laws**, principles)
- b) The constitution of India was endorsed on.....(Agusut 15,1947. November 26, 1949, **January 26<sup>th</sup>, 1950**).
- c) The original Indian constitution consisted of.....Articles (495,**395**,295).
- d) The constitution of India was adopted by.....(**Constitute Assembly** , Committee, State Assembly)

#### E) Intext questions: 5.5

Fill in the blanks:

- a) India is a.....State (Unitary, Federal, **quasi-federal**)
- b) In a parliamentary democracy, the.....enjoys the real power.  
(People, President, **Cabinet**)
- c) The fundamental rights are.....(absolute/**Justiciable**, Unlimited)
- d) The fundamental duties were included by the.....amendment. (**42<sup>nd</sup>** , 44<sup>th</sup> , 46<sup>th</sup>)

#### F) intext quessitons.5.6

Fill in the blanks:

- a) The United States of America has a system of.....citizen ship.  
(Single, **double**, temporary)
- b) Single citizenship means.....( a person is a citizens of his own State only/  
**a person is a citizen of the whole country** / a person is a citizen of his natives place)
- c) The minim um age of voting kin India is..... (**18 years**, 21 years,25 years)
- d) emergency provisions given in the constitution can be imposed..... (in normal times/  
**abnormal times**/ any time)





# Fundamental Rights

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People in the democratic countries enjoy certain rights, which are protected by judicial system of the country concerned. Their violation, even by the state, is not allowed by the courts. India respects the rights of the people, which are listed in our constitution, under the heading “Fundamental Rights”. In this lesson, a mention has been made of the fundamental Rights as one of the salient features of the constitution. In this lesson, we will discuss in detail various Fundamental Rights which are incorporated in chapter III of the constitution.

## Objectives:

After studying this lesson you will be able to

- Explain the meaning and importance of Fundamental Rights;
- Highlight that the dignity of an individual is protected and safeguarded through fundamental rights;
- Recognize that the enforcement of Fundamental rights is ensured through High courts and the Supreme Court;
- Explain the Right to Equality;
- Recognize the rationale behind protective discrimination in favour of scheduled castes and scheduled tribes and other backward classes (OBCs);
- Describe as well as appreciate the right to freedom;
- Recall the safeguards against deprivation of life and personal liberty as provided according to the procedure established by law;
- Explain the right against exploitation;
- Appreciate the right to freedom of religion;
- Explain cultural and educational Rights;

- Identify the right to constitutional remedies;
- Recall the value of writs that may be issued for the protection of Fundamental rights; and
- Appreciate the constitutional limitations on the enjoyment of fundamental rights.

## I. Essay Questions and Answers

8 Marks

### 1. Write an essay on Fundamental Rights.

Ans. People in democratic countries enjoy certain rights. The makers of the Indian Constitution were very much influenced by the American constitution, while including the Fundamental Rights in our constitution. These rights ensure the fullest physical, mental and normal development of every citizen. In our constitution Fundamental Rights are enumerated in Part –III from Article 14 to 32. However the right to property was removed from the list of Fundamental Rights by 44<sup>th</sup> amendment Act of (1978). There are now six Fundamental Rights. They are

**1. Right To Equality (Articles 14-18):** Article 14 ensures equality before law and equal protection of laws for all persons residing in India. Article 15 prohibited discrimination between individuals on the basis of regional, race, caste, sex, or place of birth. Article 16 stated that all citizens shall enjoy equal opportunity in matters relating to employment or appointment to public Service. Article 17 abolishes untouchability and its practice in any form is forbidden. Article 18 abolishes all titles national or foreign which create artificial distinction in social status amongst the people.

**2. Right To Freedom(19-22)** Article 19 of our constitution guarantees to the citizen of India a set of six freedoms. They are.

1. Freedom of speech and expression.
2. Freedom to assemble peacefully without arms.
3. Freedom to form Associations or Unions.
4. Freedom to move freely throughout the territory of India.
5. Freedom to reside and settle in any part of the territory of India.
6. Freedom to practice any profession or to carry on any occupation, trade, or business.

Article 20 assures protection against arbitrary arrest and excessive punishment to any person who is alleged to have committed offence. Article 21 lays down that no person shall be deprived of his life or personal liberty except according to the procedure established by law. Article 22 says that no person can be arrested or detained in custody without being informed of the grounds. The accused has to be produced before the nearest magistrate within a period of 24 hours of arrest.

**3. Right Against Exploitation: (23,24)** This right is provided to the individuals for recognizing, respecting and upholding their dignity and self-respect. Article 23 prohibits all forms of forced labour as well as traffic in human beings. Article 24 provides safe guards to children. It bans the

employment of children below the age of 14 years in any factory, mine or hazardous occupation, and they should be given compulsory, free education.

4. **Right To Freedom Of Religion(25-28)** Articles 25 to 28 provides Right to religion. The constitution guarantees to every person freedom of conscience and the right to practice and propagate any religion. It also permits every religion group the right to manage its own affairs in matters of religion. Our constitution lays down that no religious education can be imparted in any educational institution which is wholly maintained out of the state fund. Religion is completely individual affairs.
5. **Cultural And Educational Right(29,30)** This right ensured the minorities to preserve their language, culture and script. India is a vast country with any diversities, to establish unity in diversity, this right was included in our constitution. Our constitution provides necessary guarantees to preserve, maintain and promote their culture and language. The constitution allows minorities to establish and maintain educational institution of their own. The State shall not discriminate against any educational institution while granting financial aid, on the grounds that they are being run by minority community.
6. **Right To Constitutional Remedies: (Article:32)** This right is regarded as a fence, or safety cover for all other fundamental rights. Our constitution provides for legal remedies for the protection of these rights against their violation by the State or other institutions or individuals. It entitles the citizen of India to move the Supreme Court and High Courts for the enforcement of these rights. The Courts will issue orders and writs, like Habeas Corpus, Prohibition, Certiorari, quare to for restoring the rights of the aggrieved persons. Dr.B.R.Ambedkar described this right as the “Soul of the Fundamental Rights”

## 2. Mention Any Three Aspects Of Right To Equality:

Ans. Right to equality was first among the Fundamental rights. Right to equality means that all citizens enjoy equal privileges and opportunities. It protects the citizen against any discrimination by the State on the basis of religion, caste, race, Sex or place of birth.

1. **Equality Before Law: (Article 14):** According to the constitution “The State shall not deny to any person equality before law and equal protection of laws within the territory of India. Equality before law means that no person is above law and all are equal before law, every individual has equal access to the courts. No discrimination is allowed between them on grounds of wealth, Status and position.
2. **No Discrimination:** Article 15 prohibited discrimination between the individuals on the basis of religion, caste, sex or place of birth. No citizen shall be denied access to shops, restaurants and places of public entertainment. Neither shall any one be denied the use of wells tanks, roads etc. However the state is empowered to make special provisions for women, children and for the Uplift Of Scheduled Caste, Scheduled Tribes And Other Backward Classes.

3. **Equal Opportunity:** (Articles 16) Our constitution guarantees equality of opportunity in matters relating to employment or appointment to public service to all citizens. There shall be no discrimination on the basis of religion, race, caste, sex, place of birth, or residence in matters relating to employment in public services. Merit will be the basis of employment. However certain limitations have been provided to the enjoyment of these rights.
4. **Abolition Of Untouchability :** ( Article 17 ): The constitution abolishes untouchability and its practice in any form is forbidden. This article was inserted in the constitution due to the impact of Mahatma Gandhi's goal of eradicating untouchability in Indian Society. Actions like refusing admission to any person to the public worship, insulting a member of scheduled caste on the ground of untouchability. Preaching untouchability directly and indirectly are considered as offences. For this the Parliament has approved S.C. S.T. prevention of atrocities act.
5. **Abolition Of Title :**(Article-18) : All titles national or foreign which create artificial distinctions in social status among the people have been abolished. This provision has been included in the constitution to do away with the titles like Rai Saheb, Rai Bahadur have been conferred by the British on a few Indians as a reward for their effective cooperation to the colonial regime. The practice of conferring titles like this is against the doctrine of equality before law. To recognize the meritorious service rendered by individual citizen to the country and mankind the President can confer civil and military awards on those individuals for their services and achievements such as Bharat Ratna, Padma Vibhushan, Padma Sri, etc. But these cannot be used as titles.
3. **Describe Six Fundamental Freedoms Granted Under The Right To Freedom.**

Ans. a) Freedom is the basic characteristic of a true Democracy. Article 19 of our constitution guarantees to the citizen of India a set of six freedoms. They are.

1. Freedom of speech and expression.
2. Freedom to assemble peacefully without arms.
3. Freedom to form association or Unions.
4. Freedom to move freely throughout the territory of India.
5. Freedom to reside and settle in any part of the territory of India.
6. Freedom to practice any profession or to carry on any occupation, trade or business.

#### **Freedom Of Speech And Expression:**

It is an important freedom. This freedom ensures free and frank speech discussion and exchange of opinions. It includes the freedoms of the press. The makers of our constitution felt that the six freedoms would enable the development of Indian citizens in individual and collective spheres. They further viewed that these freedoms would facilitate the progress of Indian Society in Social, Political and economic spheres. However these freedoms are not absolute. The state is empowered to impose reasonable restrictions on the exercise of these rights in the interest of security of the State, public order, morality etc.,

**National Emergency:** These freedoms can be suspended during the state of National emergency. As soon as the state of National Emergency is declared under Article 352, the above mentioned freedoms except the right to life and liberty automatically remain suspended as long as the state of National Emergency continues. All these freedoms get restored as soon as the proclamation of National Emergency is lifted.

#### 4. Mention The Aspects Of Right To Freedom.

Ans. Freedom is the basic characteristic of a true democracy. Articles 19-22 of our constitution deals with Right to freedom.

Article 19 of our constitution guarantees to the citizen of India set of six freedoms. They are.

##### 1. Six freedoms

1. Freedom of speech and expression.
2. Freedom to assemble peacefully without arms.
3. Freedom to form association or unions.
4. Freedom to move freely throughout the territory of India.
5. Freedom to reside and settle in any part of the territory of India.
6. Freedom to practice any profession or to carry on any occupation trades, or business.

Among these freedoms, the freedom of speech and expression is an important freedom, Articles 20-22 tried to introduce legal administration in India.

#### 2. Protection In Respect Of Conviction For An Offence: (Article 20)

This article assures protection against arbitrary arrest and excessive punishment to any person who is alleged to have committed an offence. No person shall be punished except for the violation of law which is in force when the crime was committed. No person shall be punished for the same offence more than once.

3. **Protection of life and personal liberty: (Article 21) :** This article lays down that no person shall be deprived of his life or personal liberty except according to the procedure established by law. It guarantees that life or personal liberty shall not be taken away without the sanction of law. It ensures that no person can be punished merely at the whims of some authority.
4. **Right To Education: (Article 21A)** By the 86<sup>th</sup> amendment act of 2002, a new article 21-A has been added. By this Amendment Act, Right to Education has been made a fundamental Right and has been deleted from the list of Directive principles of State Policy. According to it "The State shall provide free and compulsory education to all children of the age of 6 to 14 years. It further states that it is the responsibility of the parent or guardian to provide opportunities for education to their child or ward between the age of 6 to 14 years.

### **5. Prevention Against Arbitrary Arrest And Detention (Article 22)**

Ans. This article guarantees certain rights to the arrested person. As per the provision no person can be arrested or be detained in custody being informed of the grounds for detention. He has the right to consult and be defended by a lawyer of his choice. The accused has to be produced before the nearest Magistrate within a period of 24 hours of arrest. However these safe guards are not available to foreigners as well as to those citizens detained under preventive detention Act.

## **II. Short Questions and Answers**

**4 Marks**

### **1. Explain the importance of fundamental rights as provided in the constitution.**

Ans. People in democratic countries enjoy certain rights like the constitution of U.S.A. the constitution of India provides for a list of seven Fundamental Rights. They were included in part III, from 12 to 35 Articles. These rights ensure the fullest physical, mental and moral development of every citizen. They are justifiable. These rights have a lot of significance in the constitution.

1. Fundamental rights deal with Civil and political freedom of the citizen.
2. The chapter of Fundamental rights has provision for prevention of discrimination. In favour of women, children, Scheduled caste, scheduled tribes and Backward classes.
3. The fundamental rights are very important for the development and self-realization of the individual. They allow the citizen to enjoy liberty and live in all atmosphere of freedom.
4. Fundamental Rights also promote equality and fraternity among the people, and also remove the inequalities and promote the social justice.
5. Indian Democracy is meaningless and bears no fruits without fundamental rights.
6. The life liberty and property of the citizen is protected when the fundamental rights are guaranteed.
7. Right to equality will provide the citizen for eradicating untouchability and it tries to achieve legal equality.
8. Fundamental rights will promote some sections of the people not to be exploited in the Society.
9. Fundamental rights generate a feeling of security amongst the minorities in the country.
10. They establish the framework of "Democratic Legitimacy" for the rule of the majority.
11. No democracy can function in the absence of basic rights, such as freedom of speech and expression.
12. They provide standards of conduct, citizenship, justice and fair play.

## **2. Explain The Right Against Exploitation.**

Ans. Articles 23, and 24 of our constitution deals with Right against exploitation.

**Right Against Exploitation:** This right is provided to the individuals for recognizing, respecting and upholding their dignity and self respect.

The people of India were exploited not only by the British, but also by the money lenders and Zamindars. This right prohibits all types of human exploitation. Article 23 prohibits all forms of forced labour as well as traffic in human beings. The violation of the provision is an offence punishable under law. However the state require citizens services in times of major calamities such as floods, forest fire, foreign aggression etc.,

Article 24 provides safeguards for children. It bans the employment of children below the age of 14 years in any factory mine or Hazardous occupations, and provides them free and compulsory education.

## **3. How does the right to freedom of Religion help in establishing a secular policy in India? Explain.**

Ans. a) Part III of our constitution from article 25 to 28 provided the citizens the right to freedom of religion. **Secular policy – Right to Freedom of Religion:** India is a multi religious state. Besides Hindus, there are Muslims, Sikhs, Christians and many other residing in our country. Our constitution provides religious freedom to the citizens. It guarantees to every person freedom of conscience and the right to practice and propagate any religion.

The State remains neutral relating to religious matters. There is no State religion in India. The State does not propagate any religion or collect taxes. It also permits every religion group, the right to manage its own affairs in matters of religion. Every religious sect has the right to establish and maintain institutions for religious and charitable purpose. Our constitution lays down that no religious education can be imparted in any educational institution which is wholly maintained out of the state funds.

## **4. What is Writ? Who has the power to issue the Writs?**

A) Right to constitutional remedies is the most significant of all fundamental rights. This right is regarded as a fence, or safety cover for all together fundamental rights. The highest courts in the country will protect these rights by issuing writs.

**Writs:** The constitution empowers the Supreme Court and High Courts to issue orders or Writs to protect the rights of the citizen. Our constitution provides for legal remedies for the protection of the rights against their violation by the State or others institutions or individuals. It entitles the citizen of India to move the Supreme Court or High Court for the enforcement of these rights. The Supreme Court under Article 32, and the High Court under Article 226 issues these Writs. These writs go a long way in protecting the rights of the individual against encroachment by the legislature, the Executive or any other authority.



The following are the Writs issued by the Courts:

1. **Habeas Corpus:** It is an order by the Court to the State to produce the person physically before it justifies the confinement or release of the person.
2. **Mandamus:** It is an order or commands from a Superior Court to a subordinate Court, or public authority to perform its duty in case it is not doing it.

**Prohibition:** It is an order issued by the Superior Court to forbid a subordinate Court from proceeding with a case which is beyond its jurisdiction.

**Quo Warranto :** This Writ is issued to restrain a person from acting in a public office which he is not entitled to.

**Certiorari:** The term certiorari means to be informed of what is going on. It is an order to a lower court from a superior Court to transfer the matter to it or to any other Court for deciding the matter.

As the fundamental rights are the cornerstone of our democracy then “The right to constitutional remedies is the soul” of the constitution.

## 5. Describe All The Provisions Of Right To Freedom:

Freedom is the basic characteristic of a true democracy. Articles 19 to 22 of our constitution deal with Right to freedom.

1. **Article 19:** This article guarantees to the citizen of India a set of six freedoms. They are.
  1. Freedom of speech and expression.
  2. Freedom to Assemble peacefully without arms.
  3. Freedom to form association or unions.
  4. Freedom to move freely throughout the territory of India.
  5. Freedom to reside and settle in any part of the territory of India.
  6. Freedom to practice any profession or to carry on any occupation, trade or business.
2. **Article 20:** This article assures protection against arbitrary arrest and excessive punishment to any person who is alleged to have committed offence.
3. **Article 21:** This article lays down that no person shall be deprived of his life or personal liberty except according to the procedure established by law.
4. **Article 21A:** This article has been added by the 86<sup>th</sup> amendment act of 2002. According to this article right to education has been made as a fundamental right. It provided free and compulsory education to all the children of the age of 6 to 14 years.
5. **Article 22:** This article says that no person can be arrested or detained in custody without being informed of the grounds. The accused has to be produced before the nearest Magistrate within a period of 24 hours of arrest.

6. Mention Right to education as incorporated in the constitution by 86<sup>th</sup> Amendment Act.

86<sup>th</sup> Amendment act of 2002 has been added a new Article 21A to the fundamental rights. By this amendment Act Right to education has been made a fundamental right, it has been deleted from the list of Directive Principles of State Policy. According to this article, the State shall provides free and compulsory education to all children of the age of 6 to 14 years. It further states that it is the responsibility of the parent to provide opportunities for education to their child between the age of 6 to 14 years. This act has come into force from April 1<sup>st</sup> 2010.

#### **Aims Of Right To Education Act:**

1. Children aged between 6-14 should be in school only.
2. Private Schools shall admit at least 25% of children from weaker sections. This Expenditure should bear by both Centre and State Governments in 65:35 ratio respectively.
3. All the children who are away from the school get joined in schools.
4. Primary as well as upper primary schools should be within the radius of one and three K.M. only.
5. Special schools should be established for the handicapped and children from weaker sections.
6. Children should be in schools till their primary education (Class VIII) complete.
7. Equal and just education be provided.
8. Certificates should be issued soon after completion of their primary education.
9. Showing discrimination on any grounds penalization or punishment or canning should not be gone for.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1) What is meant by Writs or orders?**

The constitution empowers the Supreme Court and High Court to issue orders and Writs for the enforcement of the fundamental rights conferred in part-III of our constitution. These writs go a long way in protecting the rights of the individuals against encroachment by the legislature, the executive and any authority. The writs are like, habeas corpus, mandamus, prohibition, etc.

- 2) **Habeas Corpus:** It is an order by the Court to the State to produce the person physically before it justifies the confinement or release of the person.
- 3) **Mandamus:** It is command or an order from a Superior court to a subordinate Court or tribunal or public authority to perform its duty in case it is not doing it.
- 4) **Certiorari:** The term certiorari means "to be informed of what is going". It is an order to a Lower Court from a Superior Court to transfer the matter to it or to any other court for deciding the matter.

## **5. Present Position Of Right To Property:**

Once, right to property is one of the fundamental rights. It has been desalted from the list of fundamental rights in the constitution in 1978, through 44<sup>th</sup>, constitution amendments. Now it is given the position of an ordinary law, which is undsser 300A auricles, in part XII.

## **6. Write about right to freedom.**

Articles 19 to 22 deals with right to freedom. Article 19 contains 6 Freedoms. They are.

- a) Freedom of speech anda Expression.
- b) Freedom to assemble peacefully and without arms.
- c) Freedom to forum associations and Unions, etc. Article 20 grants protection against arbitrary ands excessive punishment to any person who commits an offence. Article 21 deals with protection of life and personal liberty. Articles 22 relates to protection against a arrest and detention.

Right against exploitation: This right is providedsd to the individuals for recognizing , respecting and upholding their dignity and self respect. This right prohibits allforms of forced labour as well as traffic in human beings. Our constitution also provides safeguards for children. It bans the employesment of children below the age of 14 years in any factory,mine or hazardous occupations.

## **8. Mention The Six Freedoms under Article 19:**

Freedom is the basic charaactestic of a true democracy.Our Constituiton guarantees to the citizens of India as a set of six freedoms dscribed as the “Rfight for Freedom” They are:

- 1) Freedoms of speech and expression.
- 2) Freedom of assemble peacefully and without arms.
- 3) Freedom to form associations or unions.
- 4) Freedom to move freely throughout India.
- 5) Freedom toseattle in any part of India, and
- 6) Freedom to praftice any profession or to carry on any occupation, trades or business.

## **9. Write about Right to constitutioknal remidiess:**

Part III of our constitution provides for legal remedies for the protection of fundamental rights against their violation by the State or toehr institutions/ individuals. It entitles the citizens of India to move the Supreme Court or High Courts for the enforcement of these Rights. The state is for biddsen fsrom making any law that may be in conflict with fundamental rights. Surpeme Court ands High Courts issue writs through 32, ands 2265 articles.

#### 10. What is meant by preventive detention Act:

When the state feels that a person is likely to commit crime or is a threat to the security of the State, he/she may be detained without trial for a limited period. However, no person can be kept under detention for more than three months until permitted by an advisory Board consisting of persons who are qualified to be appointed as Judges of the High Courts. Such a board is presided over by a sitting judge of a High Court.

#### 11. Write about Right to Education.

In view of implementing compulsory free Education to children, the Central Government made 86<sup>th</sup> constitutional amendment Act in 2002. A new article 21-A has been added after article 21. By this amendment Act, Right to education has been made a fundamental right and has been deleted from the list of Directive principles of State Policy. According to it, "The state shall provide free and compulsory education to all children of the age of six to fourteen. It is responsibility of the parent or guardian to provide opportunities for education to their child or ward.

### IV. One Word Questions and Answers (In Text Questions)

#### A) Intext questions: 6.1.

Fill in the blanks selecting appropriate words/figures given in the bracket.

- 1) Right to property was removed from the list of fundamental rights by .....Amendment Act of the constitution. (42<sup>nd</sup>, 43<sup>rd</sup>, **44<sup>th</sup>**)
- 2) The rights are given in part III of the constitution and are termed as. ....rights. (legal/economic/**fundamental**)

#### B) Intext questions: 6.2

Fill in the blanks:

1. Right to equality aims at an end to.....discrimination. (moral/**Social**/political)
2. Right to equality has.....kinds of equalities. (3/4/**5**)
3. Right to.....provides for the abolition of untouchability. (**equality**/Freedom/religion)
4. State can make.....provisions for women and children against exploitation. (general/**special**/Ordinary)
5. Right to equality aims at establishing.....equality. (**social**/moral/political)

#### C) Intext questions: 6.3

Each question has four options. Select the correct option by putting a tick against one of the options.

1. The number of Freedoms guaranteed under the Right to Freedom is.  
a) 5                                      (b) 6                                      (c) 7                                      (d) 8

2. Any person arrested by the Police shall have to be produced before the nearest Magistrate within a period of:
  - a) 12 hours                      (b) 24 hours                      (3)      36 hours      (d) 48 hours.
3. A person arrested under preventive detention can be kept in Jail without trial for a maximum period of.
  - a) **Three months**    (b) six months
  - (c) Twelve months    (d) Eighteen months.
4. Right to education has been made a fundamental right by.....Amendment act of the constitution. (84<sup>th</sup>/**86<sup>th</sup>**/88<sup>th</sup>)

#### **D) Intext questions: 6.4**

Fill in the blanks selecting appropriate words/figures given in the brackets.

1. Employment of children in factories below the age of ....is prohibited by law. (**14/16/18**)

#### **E) Intext questions: 6.5.**

Fill in the blanks with the suitable words/figures given in brackets.

1. Religion is the concern of the.....in a secular state. (**individual**/society/state)
2. No.....education can be imparted in any educational institution wholly maintained out of State funds. (moral/**religious**/none of the two)

#### **F) Intext questions: 6.6**

Fill in the blanks by selecting appropriate words/figures given in the brackets

1. Religious or linguistic.....can establish their own educational institutions. (**Minorities**/Majority)
2. In India writs are issued by.....Courts. (Lower/ Subordinate/**High**)
3. The Direction of the Court to the detaining authority to produce the person Before it is the writ of.....(Mandamus/ Prohibition/ **Habeas corpus**)
4. The writ to restrain a person from acting in a public office to which he/she is not entitled is known as.....(**quo warrant** / Certiorari/Mandamus)
5. An order to Lower Court to transfer the case to another Court for its proper consideration is called the Writ of.....(Habeas Corpus/Prohibition/**Certiorari**)



## Directive Principles of State Policy and Fundamental Duties

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The constitution of India aims to establish not only political democracy but also socio economic justice to the people to establish a welfare state. With this purpose in mind, our constitution lays down desirable principle and guidelines in Part IV. These provisions are known as the Directive Principle of State Policy. In this lesson we will study about Directive Principles in details.

It is a well-established saying that rights have significance only when enjoyed in consonance with the duties. Therefore, the Fundamental Duties were inserted I Article 51A of our constitution in 1976 by 42<sup>nd</sup> Amendment Act. In the original Constitution in 1950, there was no mention of these duties. It was expected that the citizens would fulfil their duties willingly. We will also learn about these duties in this lesson.

### Objectives:

After studying this lesson, you will be able to:

- understands the meaning of Directive Principles of State Policy.
- Classify the Directive Principles into four groups, ie. Economic and social Gandhian, administrative and those related to international peace.
- recognize the role of Directive Principles in promotion of universilitation of education, abolition of child labor and improving the status of women.
- Explain the Directive Principles which provide the frame work of welfare state to be Realized in practice in India.
- Describe that the Directive Principles aim at the establishment of economic and Social democracy.

Explain the role of Government at different levels in implementing these principles.

Distinguish between fundamental rights and directive principles of State Policy.

Appreciate the content of fundamental duties.

Identify the Fundamental duties given in the constitution.

Appreciate the importance of Fundamental duties despite their being non-justiciable.

## **I. Essay Questions and Answers**

**8 Marks**

### **1. Discuss the classification of Directive principles of State Police ?**

Ans) The constitution of India incorporated Directive principles of state Police in part-IV, from 36 to 51 Articles. They have been taken from the Irish constitution. They aim at establishing Social, Economic justice and a welfare State in India. They have been grouped into four categories. These are: 1) The Economic and Social principles 2) The Gandhian Principles (3) Principles and policies relating to international peace and security and (4) Miscellaneous.

#### **I) The economic and Social Principles:**

The State shall Endeavour to achieve social and Economic Welfare of the people through these principles . They are: (1) Providing adequate means of livelihood for both men and women. (2) Reorganizing the economic system in a way to avoid concentration of wealth in few hands (3) Securing equal pay for equal work for both men and women. (4) Securing suitable employment and healthy working conditions for men, women and children. (5) Guarding the children against exploitation and moral degradation. (6) Providing public assistance in case of unemployment , old age sickness and disablement. (7) Making provisions for securing just and human conditions of work, and for maternity relief. (8) Taking steps to secure the participation of workers in the management of undertakings etc. (9) Promoting education and economic interests of working sections of the people especially the S.Cs. and S.Ts. (10) Securing for all the workers reasonable leisure and cultural opportunities etc.

**II) The Gandhian Principles:** These principles are based on the ideals advocated by Mahatma Gandhi. They are:

- (1) To organize village panchayats.
- (2) To promote cottage industries in rural area.
- (3) To prohibit intoxicating drinks and drugs that are injurious to health.
- (4) To prohibit slaughter of cows, calves and other milch and draught animals.
- (5) To organize agricultural and animal husbandry on modern and scientific lines.
- (6) To promote the educational and economic interest of the weaker sections with special care.

#### **III) Principles Relating To International Peace And Security:**

India should render active co-operation for world peace and security.

- (1) Promote international peace and security.



- (2) Maintain just and honorable relations between nations.
- (3) Foster respect for international law and treaty obligations.
- (4) Encourage settlements of international disputes by mutual agreement.

#### **IV) Miscellaneous:**

To secure for all Indians uniform civil code.

To protect historical monuments.

To save environment from pollution and protect wild life.

**V) Additional principles.** The constitutional amendment act of 42 and 44 had added a few more subjects to the list of Directive principles.

1. Minimizing the inequalities in income.
2. Free legal aid to the poor.
3. Securing participation of workers in the management of industries.
4. Protection and improvement of environment.
5. Provision of equal justice.

#### **2. Evaluate the Directive principles of state Policy on (a) Child Labour and (b) Status of women.**

**Ans:A) Child labour:** The Directive principles of State Policy provides opportunities and facilities to children to develop in healthy manner. The right against exploitation in the fundamental rights, prohibited exploitation of children and employment of children below the age of 14 years in mines and industries which are hazardous to their health.

**Reasons for child Labour:** Inspite of theses provision, the desired result have not been achieved in eliminating child labor . The reasons are:

(1) The attitude of the parents is not conducive to the elimination of child labour. (2) The parents force their children to do some sort of work to earn money and contribute to the family income. (3) The parents are not willing to send their children to the schools, which became an obstacle in the elimination of child labour. (4) Poverty and social stigma are certain constraints on the path of eradication of this problems. (5) All efforts by government at various levels remains futile. (6) Many social challenges faced by the country became an obstacle in eradicating child labour. Dr. Abdul Kalam's dream of developed India 2020 can be achieved only when the children who are the future of the country are secured and protected from being exploited . The children should not be deprived from their right to enjoy childhood and right to education.

**B) Status of women:** Indian Society is basically a male dominated society, in which father has been head of the family, and mother's position has been subordinated to him. The position of a women in such a system is naturally weak. Women have been suffering a great deal on account of cruel social customs and religious practices like parade and dowry etc.

**Factors that raise the status of women:**

- (1) Out constitution through fundamental rights and various Directive principles of State Policy has been already expressed the need of raising the status of women.
- (2) They also stressed the necessity of women education.
- (3) Women have been provided with the right to an adequate means of livelihood and equal pay with men for their work.
- (4) Women workers have also been provided for health care.
- (5) Providing them maternity relief and establishment of mother-child care centre.
- (6) Even in the fundamental duties stress has been laid on the duty of every citizen of India to remove practices of derogatory to the dignity of women.
- (7) Many laws and judicial decisions have restored the dignity of women.
- (8) To protect the right of women, measures have been taken to give them share in the family property.
- (9) Laws have been evicted to eliminated the cruel practices like bride burning for dowry, wife beating ands sati etc.,
- (10) The government has implemented laws to prohibit evils like female infanticide, discrimination against girl, child , child marriages etc.,

**Women Empowerment:** To empower women, one third of the seats in panchayats and Municipalities were reserved for them, though 73 and 74 amendment acts of 1991 and 1992. There is a similar proposal for reservation of seats for them in parliament and in the State legislature.

**3. Examine the role of the state in the implementation of Directive principles of State Policy.**

Many critics have called the directive principles of state Policy as no better than New year greetings . Even the rational of inserting such high sounding promises has been questioned. It has been asserted that a Directives are in the form of holy wishes having no legal sanctions behind them. In spite of all this, it cannot be said that these principles are absolutely useless. They have their own utility and significances. The directive principles are just like a pole star that provide direction.

**Role of the State in the implementation of Directive Principles.**

The aim of these principles is to persuade the Government to provide Social and economic justice in all spheres of life keeping in views its limited material resources. Many of them have been implemented very successfully. Some of the steps taken in this direction are being listed below:

- (1) Land reforms have been introduced and Jagirdari and Zamindari system have been abolished.
- (2) There has been rapid industrialization and tremendous increases in the agricultural production through green revolution.
- (3) National commission for the welfare of women has been established.

- (4) Ceiling has been placed on land and property to fix the limit of persons holding. (5) The privy purses of ex-princes have been abolished.
- (6) Life Insurance, General Insurance and most of the banks have been nationalized. (7) In order to reduce economic disparity right to property has been deleted from the Chapter of fundamental Rights. (8) Subsidized public distribution schemes have been launched to help the poor. (9) The rules require that both men and women are paid equal wage for equal work. (10) Untouchability has been abolished, sincere efforts have been made for the upliftment of the SCs, STs and other backward classes. (11) Though 73<sup>rd</sup> and 74<sup>th</sup> amendments to the constitution Panchayati Raj has been given constitutional status with more powers (12) Small scale and village industries and Khadi Gram Udyog have been encouraged to bring prosperity to the rural areas. (13) India has also been actively cooperating with the U.N. to promote international peace and security.

## II. Short Questions and Answers

**4 Marks**

### 1. Examine the nature of Directive principles of State Policy.

**What is the sanction behind them.**

Ans: Directive principles of State policy is an important feature of Indian constitution . They were incorporated in part IV from 36 to 51 Articles. The idea of Directive principles of State policy has been taken from Irish Republic . The aim of these principles is to establish economic Democracy ;in India. Social and Economic justice can be achieved through these principles. They aim at transforming India into a welfare state.

They were incorporated in our constitution in order to provide economic justice and avoid concentration of wealth in the hands of a few people. Therefore no Government can afford to ignore them. They are infact the directives to the centre and State Governments, to follow them in the decisions and policies to be formulated by them. Though these principles are non-justifiable, they are fundamental in the governance of the country.

Classification of Directive Principles: Directive principles of State Policy have been grouped in four categories.

**These are:**

1) The economic and social principles.

The Gandhian principles.

Principles and policies relating to International peace and security and Miscellaneous.

### 2) Analyses how the Directive principles of State policy of universalisation of Education has been implemented?

Ans. Illiteracy is a big hindrance in the achievement of the goals of Socio-economic justice and welfare state.

**Universalisation of Education:** Literacy plays prominent role in the development of the individual and the society . At the time of independence the percentage of literate people in India was only 14% .Our Government realized the important of education and laid stress on the spread of literacy among the masses. Article 45 of the constitution in the Directive principles of State Policy provided with “Free and compulsory Education” Efforts have been made by the Central and State Governments to raises the literacy level. But a large section of our population is still illiterate. The Government has adopted various policies to eradicate illiteracy.

- (1) According to National Policy on Education 1986, the Government has launched “National literacy Mission’ and “Operation Block board” for the spreads of mass literacy at Primary stage.
- (2) For those who were deprived of the benefits of education in their childhood, the Government and many voluntary agencies are making special efforts to educated them by opening (a) Night Schools (b) Adult Literacy centre.
- (3) Many distance education programmers through correspondence courses, distance education and open learning have been started in different states.
- (4) The National institute of open schooling and several open universities have been setup to attain the goal of universalisation.
- (5) The Directive principles providing free and compulsory education for children upto the age of 14 years has been included in the list of fundamental rights through 86<sup>th</sup> amendment of 2002, under Article 21.

**3. Explain briefly the relationship between fundamental rights and Directive principles of State Policy.**

**Ans:** Fundamental rights and directive principles are the two essential features of the constitution of India. They were playing an important role in the establishment of political Socio-Economic society in India. There is distinction between these two .Distinction between fundamental rights and Directive principles.

- (1) Fundamental rights are claims of the citizen, recognized by the state. They restrict the sphere of State activity. So they are negative in nature.
- (2) Fundamental rights are justifiable and are enforced by the Court of law. Directive principles are non-justifiable and cannot be enforced by the Courts.
- (3) The Courts have the powers to issue orders or writs for the enforcement of Fundamental rights. The Directive principles on the other hand confer no legal right and create no legal remedies.
- (4) Fundamental rights are enforceable without any separate legislation. But directive principles can be implemented only by making relative legislation.

In spite of these differences there is a close relationship between the two. Fundamental right and Directive principles are complimentary and supplementary to each other. Whereas the fundamental rights establish political democracy. The Directive principles establish economic and Social Democracy. No Government can afford to ignore them while formulating its plans and policies. Although there is no legal sanction behind the directive principles, the ultimate sanction lies with the people. The people with their opinion will never let the ruling party to acquire power again if it fails to adhere to these guiding principles. Together they form the core of the constitution.

Recall the fundamental duties in our constitution.

The original constitution enforced in 1950 did not mention fundamental duties of citizen. It was hoped that citizen would perform their duties willingly. But 42<sup>nd</sup> amendment to the constitution added a new list of 10 duties in the Chapter IV under Article 51a of the constitution.

**Duties enlisted:** To abide by the constitution and respect our National flag and National Anthem. To follow the noble ideas that inspired our National freedom movement.

- (1) Protect the unity and integrity of India.
- (2) To defend the country when the need arises.
- (3) To promote harmony and brotherhood among all sections of the people and to respect the dignity of women.
- (4) To preserve our rich heritage and composite culture.
- (5) To protect and improve our natural environment including forests, rivers,
- (6) Lakes and wild life.
- (7) To develop scientific outlook and humanism.
- (8) To protect public property and not to use violence.
- (9) To strive for excellence in all spheres of individual and collective activity.
- (10) New Addition:
- (11) 86<sup>th</sup> amendment act of 2002 added article 21A, Clause (K) according to which a parent or guardian has to provide opportunities for education of his child between the age of 6 and 14 years. These fundamental duties came into force from January, 3<sup>rd</sup> 1977.

### III. Very Short Questions and Answers

**2 Marks**

#### 1. Classify the directive principles of State Policy.

Ans: The Directive principles of State Policy is a very important feature of the Indian constitution. These principles are elaborated in part IV of the Indian constitution from articles 36 to 51. The aim of these principles is establishment of welfare State. They are classified into:

(1) The economic and social principles. (3) Gandhian principles.

(3) Principles and policies relating to international peace and security and Miscellaneous.

## **2. Write about the nature of Directive Principles.**

Ans. The Directive principles of State Policy stand for societal interest than individual interest. They are the directives to different Governments and agencies of our country. They aim at establishment of “welfare State” and Socio, economic development of the society. They have been made non-justifiable. Subject to the availability of funds. The Central and State Governments have to implement them towards peoples.

## **3. Whether Directive principles are justifiable.**

Ans. The Directive principles of State Policy does not have legal sanction like Fundamental rights. The Central and State Governments do not have a constitutional provision to implement them. It depends upon the availability of funds of Central and State Governments for implementation. One cannot have a right to approach the court of Law for implementation of these principles.

## **4. What are the socialistic principles in Directive principles.**

Ans. The following are the socialistic principles in Directive principles.

- (1) Providing adequate means of livelihood for both men and women.
- (2) Securing equal pay for equal work for both men and women.
- (3) Distribute the material resources of the community for the common good.
- (4) Providing public assistance in case of unemployment, old age, sickness and disablement.

## **5. Name the principles relating to child and women welfare in Directive principles.**

Ans. Following are the child and women welfare principles in Directive principles.

- (1) Providing adequate means of lively hood and for both men and women.
- (2) Securing equal pay for equal work for both men and women.
- (3) Guarding the child against exploitation and moral degradation.
- (4) Providing early childhood care and education to all children until they Complete the age of six years, etc.

## **6. Name then newly added Directive principles.**

Ans. Through 42<sup>nd</sup> and 44<sup>th</sup> amendment Acts, some newly directives principles were added to them. They are.

- (1) Workers participation in management.
- (2) Free legal aid to the poor people.

- (3) Protection on environment and forest.
- (4) Provision of adequate opportunities for the development of children.
- (5) The State to minimize inequalities in income, status, facilities and opportunities.

**7. Write any four differences between fundamental rights and Directive principles.**

Ans. <b>Fundamental Rights</b>	<b>Directive principles</b>
1. Fundamental rights are negative in nature	1) Directive principles are positive in nature.
2. They ;are imperative	2) They are not imperative.
3. Fundamental rights are justiciable	3) Directive principles are non justicable And are enforceable by the Court of Law.
4. The Supreme Court and High Courts Have the powers to issue writs for Enforcement of fundamental rights.	4) Directive Principles of State Policy confer no legal rights and create no Legal remedies.

**8. Write any Four fundamental Duties:**

- Ans. (1) To abide by the constitution and respect our National flag and National Anthem.
- (2) To; follow the noble ideals that inspired our national Freedom movement.
- (3) To protect the unity and integrity of India.
- (4) To defend the country when the need arises etc.

## **IV. One Word Questions and Answers (In Text Questions)**

### **A) Intent questions: 7.1**

Identify and place the given directive Principles in various categories (Gandhian, Economic and Social , international peace and miscellaneous)

- (i) To promote cottage industries (**Gandhian**)
- (ii) To provide adequate means of livelihood both men and women. (**social and economic**)
- (iii) To provide living wages for working sections. (**Social and economic**)
- (iv) To provide early childhood care and education for all children until they Complete age of 6 years. (**social and economic**)
- (v) to protect historical monuments (**Miscellaneous**)
- (vi) To bring about reforms to save environment from pollution and protect wild life.(**Miscellaneous**)



## B) Intext questions 7.2

Choose the correct answers from the alternatives given below:

- a) What was the percentage of literate people at the time of independence.  
(i) 12% (ii) **14%** (iii) 16% (iv) 18%
- b) When was the National Educational policy started.  
(i) 1984 (ii) **1986** (iii) 1988 (iv) 1989
- c) In which part of the constitution is the provision against exploitation of children made?  
(i) **Fundamental rights** (ii) Fundamental duties (iii) Directive principles of State policy.
- d) In which of the following equal pay for works for both men and women provide.  
(i) fundamental rights (ii) Fundamental duties  
(iii) **Directive principles of State Policy.**
- e) when was the department of women and child development setup in India?  
(i) 1978 (ii) **1985** (iii) 1992 (d) 1995.

## Intext questions: 7-3.

Fill in the blanks with the correct answers.

- i) A.....state takes the responsibility of providing goods and services to the weaker sections in Society. (Socialist, charitable, **welfare**)
- ii) Government has tried to bring about.....distribution of wealth.  
(equal, unequal, **equitable**)
- iii) The.....system has been abolished all over India. (capitalist, **Zamindari**, casate)
- iv) Khadi and village industries Boards has been setup to promote .....industries.  
(**small**, medium, cottage)
- v) Panchyat Raj institutions were given constitutional status by .....Amendment Act  
( 72<sup>nd</sup>, **73<sup>rd</sup>**, 71<sup>st</sup> )

## Intext questions. 7.4.

Fill in the blanks:

The Directive principles are.....in nature (Negative, **positive**, natural)

The Fundamental rights aim at the development of every.....family, group, **individual**)

The directive principles are meant to establish.....Democracy.

(Political, cultural, **socio-economic**)

The fundamental rights and Directive principles have.....relationship

With each other. (**close**, indirect)

**In text questions: 7-5:**

Write “True” or “False”

- (i) the rights and duties are the two sides of the same coin .(**True**/false)
- (ii) The fundamental rights were therein the original constitution.(True/**false**)
- (iii) The fundamental duties have been mentioned along with fundamental rights. (**true**/false)
- (iv) There are ten fundamental duties now. (True/**false**)

**Intext questions.7.6**

Choose the right answer.

- 1) The fundamental duties are justifiable /**non-justifiable**.
- 2) These duties are clear/**ambiguous**.



# Indian Federal System

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## Introduction

In lesson 5 dealing with Salient Features of the constitution of India you have learnt that the founding fathers of Indian Constitution adopted a Federal structure.

In a federal set up there is a two tier of Government with well assigned powers and functions. In this system the central Government and the Governments of the units act within a well defined sphere, co-ordinate and at the same time act independently. The federal polity, in other words, provides a constitutional device for bringing unity in diversity and for the achievement of common national goals.

## Objectives

After studying this lesson, you will be able to:

- recall the nature of federalism;
- explain why India adopted a federal setup;
- recognize the federal features of the Indian Constitution;
- recall the unitary features of the Indian federation;
- justify the reason for a strong centre;
- list the process of the Central Government and those of the Governments of the states;
- Analyze that India is federal in character and unitary in spirit;
- Recognize the legislative, administrative (executive) and the financial relations between the centre and the units;
- Examine how the Central Government has an edge over the State Governments;
- Recognize demand for autonomy by various State Governments; and

- Assess the recommendation of the Sarkaria Commission and the need for cooperation between the Centre and the States;

## **I. Essay Questions and Answers 8 Marks**

### **1. Explain that the Indian constitution is federal in form but unitary in spirit.**

Ans. The constitution of India has adopted federal features, though it does not in fact claim that it establishes a federation. The framers of the constitution have modified the true nature of Indian federation by incorporating certain non federal features.

#### **Nature of Indian Federation:**

The term Federation could not be used in any part of the constitution. Article 1 of the constitution describes that India is a “Union of States” which implies two things.

- (1) It is not the result of an agreement among the States.
- (2) The states have no freedom to secede or separate from the Union.

Besides, the constitution of the Union and the States is a single frame work from which neither can get out and within which they must function. The federation is a Union because it is indestructible.

#### **Federal Features in India.**

- (1) Indian constitution is a written constitution.
- (2) Rigid procedure is followed to amend some of the provisions of the constitution.
- (3) There is division of powers between the centre and the states in three lists.
- (4) Independent judiciary.
- (5) Bi-cameral legislature.

#### **Unitary Features in India:**

- (1) The centre appoints the Governors of the states and may take over the administration of the state on the recommendations of the Governor. The Governor has acted more as centers representative than as the head of the state. This enable the Union Government to exercise control over the state administration.
- (2) The control of the union over states after the imposition of National Emergency.
- (3) The equality of units in a federation is best guaranteed by their equal representation in the upper house of the Union Legislature. However this is not applicable in the case of Indian State.

### **2. Discuss the Unitary features of the constitution of India.**

Ans. The framers of the Indian constitution included both unitary and federal features in our constitution. Article 1 of the constitution describes India as a union of States. It functions as unitary system in emergencies and federal system on ordinary occasions.

**Unitary features in Indian constitution:-** According to the constitution our political system have some unitary features. They are:

- (1) Single citizenship for all Indians, where ever they live in any part of the country.
- (2) There is no provision for separate constitution for the states.
- (3) The Chief Election Commissioner and the Comptroller and Auditor General are appointed by the Union Government.
- (4) In India we have unified judiciary with the Supreme Court at the apex.
- (5) The constitution of India establishes a strong centre by assigning all important subjects to the centre.
- (6) The Centre appoints the governors of the States.
- (7) All India services such as IAS and IPS have been created and are kept under the control of the Union.
- (8) The States cannot propose amendments to the constitution. As such amendments can only be made by the Union Parliament.
- (9) During financial emergency the centre exercises full control over the State finances.
- (10) In case of disturbances in any state or part, the Union Government is empowered to depute central force in the State or to the disturbed part of the state.
- (11) The Parliament by law may increase or decrease the area of any state and may alter its name and boundaries.
- (12) The Election Commission functions under the supervision of Central Government.

From the above, it is clear that there is a tilt in favor of the centre at the cost of the states. The states have to work in close cooperation with the centre. Constitutional experts have called it semi-federal or quasi-federal systems.

## **II. Short Questions and Answers**

**4 Marks**

### **1. Discuss the federal features of the constitution of India..**

**Ans:** The constitution of India has adopted a federal system with unitary features. It functions as unitary system in emergencies and federal system on ordinary occasions. In a federal system the Central Government and the Government of the units act within a well defined sphere, co-ordinate at the same time act independently.

**1. Write constitution:** The most important feature of a federation is that its constitution should be a written one. The structure and functioning of the Centre and State Governments should be specified in the written constitution. The constitution of India is a written document and is the most celebrated constitution of the world. It establishes supremacy of the constitution

because both the Union and States are given powers by the constitution as to be independent in their spheres of governance.

- 2. Rigid constitution:** The procedure of amending the constitution in a federal system. Is normally rigid. Indian constitution provides that some amendments require a special majority. Such an amendment has to be passed by majority of total members of each house of parliament by 2/3<sup>rd</sup> majority of the members present and voting. Since in India important amendments can be amended through this procedure. Hence India constitution has been rightly called a rigid constitution.
- 3. Division of powers:** In our constitution there is a clear division of powers between the centre and State Governments. Our constitution enumerates three lists viz. 1) The Union list (2) State list (3) the concurrent list.
- 4. Supremacy of judiciary:** Another very important feature of a federation is an independent judiciary to interpret the constitution and to maintain its sanctity. The Supreme Court of India has the original jurisdiction to settle disputes between the Union and the States. It can declare a law as unconstitutional, if it contravenes any provision of the constitution.

## **2. Write a short note on legislative relations between the Central and the States.**

**Ans:** The Indian constitution prescribed the legislative relations between the Union and the States in a clear cut manner in part II from Articles 245 to 255. Regarding legislative relations, there is a three fold divisions of powers in the constitution. We have followed a system in which there are two lists of legislative powers, one for the centre and the other for the states. An additional list called the concurrent list has also been added. This classification has been drawn from the Government of India Act, 1935.

- 1. The Union List:** Union list consists of 100 subjects of National interest. Some important subjects included in this list are Defence, Railways, Post and Telegraphs, Income tax, Custom Duties. The parliament has the exclusive power to enact laws on these subjects for the entire country.
- 2. The State list:** The State lists consist of 61 subjects of local interest (originally 66 subjects) Some of the important subjects included in this list are: Trade and commerce, Police, Fisheries, Forest, industries etc. the State Legislature have been empowered to make laws on these subjects.
- 3. Concurrent list:** The concurrent list contain 52 subjects (originally 47) of common interest to both the union and the states. Some of the subjects included in this list are stamp duties, drugs and poison, electricity, News papers etc. Both the parliament and State Legislature can make laws on the subjects included on this list. But in the case of conflict between the Union and the State relating to the same subjects, the Union law prevails over the state law.
- 4. Residuary items:** The subjects which are not included in any of the three lists is called residuary item. Our constitution vested in the Union parliament the power to make legislation on residuary items.

Under certain circumstances the parliament can legislate on the subjects mentioned in the State list.

**3. Write a short note on Administrative relations between the centre and the states.**

**Ans:** The Indian constitution prescribed administrative relations between the centre and states from Articles 256 to 263. They are:

- (1) The Executive power of the state is to be exercised in such a way as  
To ensure compliance with the laws made by the parliament. Further the Union executive is empowered to give to a state if necessary.
- (2) The Union Government can issue directions to the state for the constitution and maintenance of means of communications declared to be of national and military importance and also for the measures for the protection of Railways..
- (3) The parliament can alone adjudicate on Inter-state river disputes.
- (4) Inter State council has been constituted on the advice of the President to settle the Inter-state disputes.
- (5) The State Government may delegate some of its administrative functions relating to the State subjects to the Union Government for a specified period.
- (6) The presence of All India Service Officers paves way for the Central Government to exercise its authority and control over the States.
- (7) The President has the power to appoint, and remove the governors and the judges of High Court.
- (8) The constitution also makes provision for the creation of new All India Service by the Parliament on the recommendation of Rajya Sabha.

**4. Describe the financial relations between the Centre and the State:**

**Ans.** The constitution prescribed financial relations between the centre and State Government from Articles 264 to 300. The distribution of financial resources is especially critical in determining the centre State relations. Both the union and States have been provided with independent source of revenue by the constitution.

1. Taxes levied by the Union but collected and appropriated by the State such as stamp duties, duties of excise on medicinal and toilet preparations etc.
2. taxes levied and collected by the union but assigned to the State: Ex: Railways sea or air etc.
3. Taxes levied and collected by the Central and may be distributed between the Central and the States. Such as Union excise duties, excise on toilet preparation etc.
4. Taxes levied and collected and retained by the Centre such as customs, surcharges on income tax. Etc.



5. Taxes levied and collected by the centre and distributed between the Union And states such as taxes other than agriculture etc.
6. The States can levy and collect taxes on the subjects in the state list such as land Revenue, entertainment tax, sales tax. Etc.

It is clear that in the financial sphere too the centre better equipped., The Centre can exercise control over the State Finance and grants-in-aid both general and special to meet the expenditure on development schemes. During financial emergency the President has the power to suspend the provisions of regarding division of taxes between the centre and the states.

### **5. Describe the recommendations of Sarkaria Commission.**

Ans. The working of the Indian federation during the last five decades shows that the relations between the centre and the State have not always been cordial, To regulate the centre State relations the Government of India has appointed administrative reforms commission and several other commissions. On 1983 June 9<sup>th</sup> the Union Government appointed Sarkaria Commission to suggest ways and means to improve Centre State relations.

#### **Recommendations of Sarkaria Commission:**

The recommendations of the Sarkaria Commission assume importance so ;as to evolves an appropriate policy in the area of legislative, administrative and financial relations .It felt that federalism is more a functional arrangement for cooperative action than a static institutional concept.

1. The commission strongly recommends the establishment of Inter-state Council on permanent basis.
2. It desired that both centre and State should have the concern for the development of backward territory or areas.
3. If the economic development of these backward regions are undertaken  
In a planned manner, the separatist tendencies will be automatically controlled.
4. Difference between union and the states should be resolved by mutual consultation.,
5. The commission favoured the demand of the states to provide more financial resources at their disposal.
6. Lastly the commission has suggested, economic liberalization and suitable amendments to the constitution in order to improve Central, State relations in the Country.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. UNION LIST**

Ans: `The parliament has exclusive powers to make laws with respect to any of the matters enumerated in the Union list. This list has at present 100 subjects (originally 97 subtests) like defense, finance, home, foreign affairs and so on.

## **2. State List.**

Ans. The State legislature has in normal circumstance “exclusive powers to make laws with respect to any of the matters enumerated in the State list. This has at present 61 (originally 66 subjects) like public order, police, public health, and sanitation, agriculture and so on.

## **3. Concurrent list.**

Ans. Both the parliament and State legislature can make laws with respect to any of the matters enumerated in the concurrent list. This list at present 52 subjects (originally 47 subjects) like criminal law and procedure, civil procedure, marriage and divorce, education, Labour welfare and so on.

## **4. Residuary powers.**

Ans. The power to make laws with respect to residuary subjects (ie. The matters which are not enumerated in any of the three lists) is vested in the parliament, the subjects like space research, IT etc., This residuary power of legislation includes the power of levy residuary taxes.

## **5. Composition of Sarkaria Commission.**

Ans. The Union Government has setup a high level commission headed by Ranjit Singh Sarkaria on June 9, 1983. The commission was asked to consider the Union State relations and to make suitable suggestions. B.Siva Raman and S.Sen were its other members. The final report was submitted in October, 1987.

## **6. Write any three recommendations of Sarkaria commission:**

Ans. Following are the some of the important recommendations of Sarkaria commission. They are:

- (1) The Commission strongly recommended the establishment of Inter state council on permanent basis.
- (2) It desired that both centre and states should have concern for the Development of backward territory or area.
- (3) If the economic development of these backward regions are under taken in a planned manner, the separatist tendencies will automatically controlled and soon.

## **7. Finance Commission:**

Ans. Finance commission consists of a chairman and four other members. They are appointed by the President of India for a term of 5 years. It is constituted for every five years. The commission makes recommendations to the President on the distribution of Financial resources between the centre and the State.

## **8. Write any two functions of Finance commission:**

Ans.

1. Distribution of the net proceeds of taxes between the Union and the States.
2. Principles of Governing the grant-in-aid of the revenues of the State out of consolidated fund of India.

## IV. One Word Questions and Answers (In Text Questions)

### Intext questions :8-1.

Fill in the blanks:

1. In a federation the powers are.....(with the centre/with the state/**divided between centre and the States**)
2. Federation has a.....constitution. (**written**/unwritten/evolved)
3. In the Indian constitution there are.....Lists(2/**3**/4)
4. subjects are included in the.....list (Union/**State**/co current)
5. The concurrent list consists of.....subjects (97/**47**/66)

### Intext questions 8.2

Fill in the blanks:

1. The.....may change the area of a state by law.  
(**Parliament**/State Legislature/Municipal corporation)
2. All Indian services are under the control of.....(**Union Government**/State Government/District Govt.)
3. In a federation there is.....representation in the upper house of parliament . (**unequal**/equal/proportional)

### C) Intext questions:8-3.

Fill in the blanks.

1. The union List consists of.....articles (**97**/66/47)
2. Post and telegraph is subjects in the.....list. (**Union**/State/concurrent)
3. The.....can legislate of subjects in the state list when there is President's rule.  
(State Legislature /**Parliament**/Both of them.)
4. Trade and commerce is a subject with.....list. (Union/**State**/Concurrent.)

### D) Intext questions 8.4

Fill in the blanks.

1. Proposal for amendment to the constitution can be initiated only by .....  
Government.(**Central**)
2. The Indian constitution is.....Federal (**quasi**)
3. States are demanding .....autonomy. (**Greater**)
4. ....Commission has submitted its report relating to centre-State Relations. (**Sarkaria**)



# Emergency Provisions

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## Introduction

You have read in the preceding lesson that the Constitution of India is federal in nature having a unitary bias. On the one hand, it has all the characteristic features of a federation, while, on the other hand the Centre is more powerful than the States.

When the Constitution of India was being drafted, India was passing through a period of stress and strain. Partition of the country, communal riots and the problems concerning the merger of princely states including Kashmir. Thus, the constitution makers through the equip the Central Government with the necessary authority, so that, the hour of emergency, when the security and stability of the country is threatened by internal and external threats. Therefore, some emergency provisions were made in constitution to safeguard and protect the security, integrity and stability of the country and effective functioning of State Governments.

## Objectives

After studying this lesson, you will be able to:

- recognize that the Union Government has no option except to assume extra ordinary powers in emergencies;
- identify the situations in which the President can proclaim a state of National Emergency under Article 352;
- Describe the various effects of National Emergency relating to the executive, legislative, and financial matters, with special reference to the fundamental rights;
- Cite examples of National Emergencies proclaimed in the country with their duration article 356 imposing President's rule in a state;
- Describe the circumstances in which the President can make a proclamation under Articles 356 imposing President's Rule in a State;

- Cite a few examples when such proclaims were made due to the breakdown of constitutional machinery;
- recall that imposition of President's Rule has often been controversial in the context of smooth Centre-State relations;
- Describe the circumstances under which Financial Emergency can be proclaimed under Articles 360;
- Explain the role of Parliament during financial emergency and;
- describe the effects of financial emergency;

## I. Essay Questions and Answers

8 Marks

### 1) Describe briefly the emergency provisions contained in the constitution of India.

Ans. Provisions have been made in the constitution for dealing with extra ordinary situations that may threaten the peace and security and stability of the country and when the State Government fails to carry on in accordance with the constitution. The Indian constitution empowered the President to declare three types of emergencies. They are:

- 1) **Proclamation of National Emergency (352)** Article 352 of the constitution has provided for imposition of emergencies caused by way external aggression or internal rebellion. This is described as a national emergency. The constitution 44<sup>th</sup> amendment of 1978 made it clear, the President can declare such an emergency only on the written advice of the cabinet. This emergency can extend to the whole country or a part thereof. The emergency remains in force for a period of six months, and it can be extended for another six months.

So far National emergency has been declared in our country on three occasions.

**1<sup>st</sup> time:** For the first time emergency was declared on 26<sup>th</sup> October, 1962, after China attacked our borders in the north east. This National emergency lasted till 10 Jan., 1968. The same emergency was there at the time of Indo-Pak War in 1965, on Kashmir issue.

- 2) **Second Time:** For the second time it was declared on 3<sup>rd</sup> December, 1971 in the wake of the second India Pakistan war in the context of Bangladesh liberation. It was lifted on 21<sup>st</sup> March, 1977.

- 3) **Third Time:** Third National emergency was imposed on 25<sup>th</sup> June, 1975. This emergency was declared on the grounds of "internal disturbances".

While the first two instances relate to the external emergency the last one refers to internal emergency.

- II) **Emergency Due To Failure Of Constitutional Machinery In A State ( Or ) President Rule: 356:** Under Article 356, the President may issue a proclamation to impose emergency in a state if he is satisfied on receipt of a report from the Governor of the State or otherwise, that a situation has arisen under which the Government of the State cannot be carried on smoothly. In

popular language it is called the President's Rule.

The proclamation of the President must be approved by the parliament within two months. If approved it remains valid for six months, it can be extended for another six months, but not beyond one year. This emergency has been proclaimed for 100 times in various States. During the time of President's Rule, the governor will take over the administration of the State.

**III) Financial Emergency: 360)** The third type of emergency is financial emergency provided under Article 360. It provides that, if the President is satisfied, that the financial stability or credit of India or any of its part is in danger, he may declare a State of financial emergency. It must be approved by both houses of parliament within two months. Financial emergency can operate as long as the situation demands and may be revoked by a subsequent proclamation. During this time the President may ask the State to reduce the salaries and allowances of all or any class of person in Government service including the salaries of the judges of the Supreme Court and the High Courts.

So far fortunately, financial Emergency has never been proclaimed.

## **2. How does the imposition of National Emergency affect the life of citizens?**

Ans. The constitution has provided the Central Government to declare emergency to deal with extraordinary situations.

**National Emergency ( 352) :** Article 352 of the constitution has provided for imposition of emergency caused by war external aggression or internal rebellion by which the sovereignty and security of India is threatened. The 44<sup>th</sup> constitutional Amendment of 1978, made it clear the President can declare such an emergency on the written advice of the cabinet. This emergency can extend to the whole country ;or a part thereof. This type of emergency can be declared by the President if he is satisfied that the security of India is threatened either (1) By war or external aggression, or (2) By armed rebellion within the country.

**The Parliament ;**has to approve this proclamation within one month. The emergency remains in force for a period of six months and it can be extended for another six months.

So far National Emergency has been declared in our country on three occasions.

- 1) First time :** For the first time emergency was decreed on 26<sup>th</sup> October 1962, after China's aggression. This National emergency lasted till 10<sup>th</sup> Jan. 1968. The same emergency was there during Ind-Pak war in 1965, on Kashmir issue.
- 2) Second time:** For the second time it was declared on 3<sup>rd</sup> December 1971 in the wake of the second India Pakistan war in the context of Bangladesh's liberation.
- 3) Third time :** Third National Emergency was imposed on 25<sup>th</sup> Jan., 1975. This emergency was declared on the grounds of "Internal disturbances".

While the first two instances relate to external emergency the last one refers to internal emergency.

**Effects Of National Emergency:** The declaration of National emergency has far reaching effects both on the rights of individuals and the autonomy of the States.

1. The most significant effect of emergency is that the federal form of the Constituent changes into unitary.
2. The authority of the Centre increases and the Parliament assumes the power to make laws for the entire country even in respect of subjects mentioned in the State list.
3. The President of India can issue directions to the State as to the manner in which the executive power of the State is to be exercised.
4. During this period the Lok Sabha can extend its tenure by a period of one year at a time.
5. During emergency the President is empowered to modify the provisions regarding distribution of revenues between the Union and the States.
6. The fundamental rights under Article 19, automatically suspended and this suspension continues till the end of the emergency.

## **II. Short Questions and Answers**

**4 Marks**

### **1) Under what condition can be President's rule be imposed in a State?**

Ans. It is the duty of the Union Government to ensure that the governance of a State is carried on in accordance with the provisions of the constitution.

**President's Rule :356:** If the President is satisfied on receipt of a report from the governor of the state or otherwise, that a situation has arisen under which the State Government cannot be carried on, then he declared President's rule under Article 356. Such proclamation of emergency by the President is called proclamation on account of the failure of constitution machinery where a State fails to comply with union direction, and fails to establish law and order in the state the President issues such proclamation.

During these emergencies the governor will take over the administration of the state. This proclamation has to be approved by the Parliament within two months, the proclamation remains valid for six months. It can be extended for another six months but not beyond one year. However emergency in a State can be extended beyond one year. If (a) a National Emergency is already in operation or if (b) The Election commissions certified that the elections to the State Assembly can not be held.

The type of emergency has been imposed in most of the states at one time. In all there are more than hundred times that emergency has been imposed in various states. However, after 1995 the use of this provision has rarely been made.

### **Effects Of Imposition Of President's Rule In A State:**

The declaration of the President's rule in a State under Article 356 has the following effects.



1. The President can assume to himself all or any of the functions of the State Government or he may vest all or any of the functions with the governor.
2. The President may dissolve the State legislative Assembly or put it Under suspension. He authorizes the parliament to make laws, and budget on behalf of the State Legislature.
3. The President can make any other incidental provisions necessary to give effect to the object of proclamation.

## **2. How are the Executive and Legislative powers of a State Exercised?**

Ans. It is the duty of the Union Government to ensure that Governance of a State is carried on in accordance with the provisions of the constitution. If the President is satisfied on receipt of a report from the governor of the State that a situation has arisen under which the State Government can not be carried on according to the constitution, then the President proclaims President's rule under Article 356.

During the President rule, the President vests the functions of the State Government with the Governor.

Effects In A State:

1. The President may dissolve the state Legislative Assembly or put it under suspension.
2. The President may authorize the parliament to make laws on behalf of the State Legislature.
3. Parliament approved the State budget.
4. Parliament shall make law on the state subject and implements in the State.
5. The President may issue ordinance on any State subject.
6. The Central and State Government employees shall be given special powers for effectively ruling the State.

## **3. Mention The Effects Of Financial Emergency.**

Ans. The third type of emergency is financial emergency provided under Article 360. It provides that if the President is satisfied that the financial stability or credit of India or of its part is in danger, he may declare a State of Financial Emergencies. It must be approved by the parliament within two months. Financial emergency can operate as long as the situation demands.

Effects Of Financial Emergency:

1. The Union Government may give directions any of the state regarding financial matters.
2. The President may ask the states to reduce the salaries and allowances of all persons in Government service.
3. The President can direct the State Government to observe certain principles of economy in public expenditure.
4. Money bills of a State legislature be reserved for the President's consideration.
5. Allocation of revenues between the centre and the State can be altered by the President.

So far fortunately financial emergency has never been proclaimed.

### III. Very Short Questions and Answers

2 Marks

#### 1) Name three types of emergency powers of the President of India.

Ans. The President of India can declare emergency on the following way.

- 1) Declaration of National Emergency ( 352 Article)
- 2) Declaration of President's rule (356 Article)
- 3) Declaration of Financial emergency (360 article)

#### 2. National Emergency:

Ans. The constitution of India has provided for imposition of emergency caused by war, external aggression or internal rebellion. This is described as National emergency. The President of India declares the National Emergency under article 352. It can be declared by the President of India if he is satisfied that situation is very grave and the security of India or any part thereof is threatened by war or external aggression or by armed rebellion within the country. So far it is declared three times.

#### 3. President's Rule Or 356 Articles.

Ans. According to Article 356, the President of India can declare a constitutional emergency ;in a State. It is called President's rule. It can be declared by the President on the receipt of ;a report from the Governor. This type of emergency has been imposed in most of the States at one time or the other for a number of times. So far it is imposed more than 100 times.

#### 4. Financial Emergency

Ans. The third type of Emergency is financial emergency provided under Article 360. It provides that if the President is satisfied that the financial stability or credit of India or any of its part is in danger, he may declare a state of Financial Emergency. It can operate as long as the situation demands and may be revoked by a subsequent proclamation. So far it is not declared in any part of India.

### IV. One Word Questions and Answers (In Text Questions)

#### A) Intext questions.9.1.

Fill in the blanks:

1. Proclamation of National emergency gives enlarged powers to the..... (**Union Government/** President/Supreme Court)
2. National emergency can be declared under article.....(**352/232/360**)
3. During this period of National emergency Lok Sabha can extend its term By..... at a time (**one year/Three years/Five years**)
4. During the period of National emergency, the right to.....can be Restricted. (**equality/** **Freedom/Constitutional remedies**)

5. On 25<sup>th</sup> June 1975, National Emergency was declared on the grounds. Of.....(External aggression/**internal disturbances**/Financial crises)
6. The President can declare National Emergency only if.....
  - a) The Prime Minister gives written advice.
  - b) **The cabinet recommends in writing.**
  - c) He himself is otherwise satisfied.
7. Once approved by the President, the National Emergency ordinarily remains in force for a period of.....(**six months**/1 year/2 years)

### B) Intext questions: 9-2.

Fill in the blanks.

1. The proclamation of emergency due to the breakdown of constitutional machinery in a state is covered under article ..... (325/**356**/360)
2. The imposition of President's rule in a State can continue for.....months. Without the approval of the Parliament.(one/**Two**/Six)
3. President's rule in a state can be extended upon a maximum period of ..... (**1 year**/2 years/3 years)
4. The declaration of emergency due to the failure of constitutional machinery in a State is made on the advice of the.....(Chief Minister/Speaker of Legislative Assembly/**Governor**)
5. The Parliament can approve the imposition of President's rule in a State for a period of ..... at a time. ( Three months/**Six months**/Nine months)

### C) INTEXT QUESTIONS 9-3.

Fill in the blanks.

1. Article.....covers the financial emergency provisions. (352/356/**360**)
2. Financial emergency has been imposed in our country only..... (Once/twice/**never**)
3. Financial emergency can be imposed for a period of .....at a time. (two months/Four months/**desired length**)
4. Financial Emergency has to be passed by the Parliament within.....(**two months**/Six months /Six months)
5. Under Financial Emergency, the President may give directions to reduce the salaries and allowances of.....(Union Government Employees/State Government employees/**All Government functionaries Including judges.**)

## Union Executive

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### Introduction

India is a democratic republic with a parliamentary form of Govt. The Govt. at the central level is called “Union Government” and the State level it is known as “State Government”. The Union Govt. has three organs –the Executive, the Legislature and the judiciary. The President, the Prime Minister and the Council of Ministers collectively constitute the union Executive.

In this lesson we will read how the Union Executive is constituted and what functions does it perform.

### Objectives

- . After studying this lesson, we will be able to:
  - Distinguish between the nominal and real executive in a parliamentary democracy.
  - Recall that India is a republic with an elected head of state.
  - Describe the qualifications and method of election of the President of India.
  - Explain the executive legislative, financial and judicial powers of the President
  - Explain the position of the President. 6. Describe the role of the Vice –President in the Indian Political system
  - Describe the role of the Vice President in the Indian Political system..
  - Describe how the Prime Minister is appointed and how his council of Ministers is constituted.
  - Explain the powers and functions of the Prime Minister and his council of Ministers.
  - Analyze the meaning and implication of the individual and collective responsibility.

## I. Essay Questions and Answers

8 Marks

### 1. Examine the powers and role of the President of India ?

Ans: The constitution has vested the President with vast power. Broadly the powers of the President can be classified as Executive, Legislative, Financial and judiciary powers. They may be analyzed under the following heads as ordinary powers and emergency powers.

#### Ordinary Powers:

- 1. Executive Powers:** The President is head of state and Executive powers of the Union have been vested in him. The President is empowered to exercise these powers either directly or through Officers subordinate to him which means through the Prime Minister and Council of Ministers.

The President appoints the Prime Minister and he appoints other Ministers on the advice of the Prime Minister. He allocates portfolios among the ministers on the advice of the Prime Minister. He may remove any Minister on the advice of the Prime Minister.

The President appoints the Chief Justice and other judges of the Supreme Court and High Courts. He also appoints comptroller and Auditor General and Attorney General of India, the Chairman and members of the U.P.S.C. Election Commission, Financial Commissioner, the Official Languages Commission, the Commission of the S.C. & S.T. and Backward classes, Ambassadors and other diplomatic personnel. He also appoints the Governors of States Lt, Governors of Union Territories. All such appointments are made on the advice of the union Cabinet headed by P.M.

The President is the Supreme Commander of the Armed forces. As such the President makes appointments of chiefs of Army, Navy and Air Force. The President can declare war and make peace. All the functions are performed by the President on the advice of the Prime Minister.

- 2. Legislative Powers:** The President is an integral part of the Indian Parliament. He enjoys vast legislative powers. He summons and prorogues the meeting of both houses of parliament. He also dissolves the Lok Sabha on the advice of the Prime Minister.

He addresses either house or both the houses of parliament. He also sends messages to either house from time to time. The President reserves the right to nominate 12 members to Rajya Sabha and two Anglo-Indians to the Lok –sabha. If this community has not received adequate representation. All the bills passed by Parliament must receive his assent before than become Law. The President can ask the Parliament to reconsider a bill. If on reconsideration, the parliament repass the bill, the President has to give his signature. The President can enact Laws through ordinances when the Parliament is in recess.

- 3. Financial Powers:** All money bills can originate in the parliament only on the recommendations of the President. The contingency fund of India has been placed at the disposal of the President.

He can advance money out of this fund to meet unforeseen expenses and recover the same after due authorization by the parliament. The President appoints a Finance commission every five years to recommend distribution of Taxes between the Union and the State Government.

4. **Judicial Powers:** The President appoints the Chief Justice and Judges of the Supreme Court and State High Courts. He can grant pardon, reprieve, respite or remission of punishment or commute the sentence of any person punished under the Union Law. The President enjoys legal immunity and is not accountable to any Court of law for any thing done in the exercise of his official duties.
5. **Military Powers :** The President of India is the Supreme Commander of the defense forces of India. He can declare war or conclude peace. He appoints the heads of the Armed forces.
6. **Diplomatic Powers:** The President of India represents in International affairs and enjoys extensive diplomatic powers. He appoints India diplomatic personal to foreign countries.
7. **Emergency Powers:** The constitution confers on the President of India certain emergency powers like a) Emergency caused by war (b) constitutional Emergency (c) Financial Emergency.

**Position Of The President:** The Office of the President is of high dignity and eminence, not of real powers. The powers formally vested in him are actually exercised not by his, but by the Union Council of Ministers in his name. If the President tries to act against the wishes of the ministers, the President may create a constitutional crisis. The President may even face impeachment and may have to quite. Thus, the President has no alternative but to act in accordance with the advice of the Prime Minister, who after all is head of the real Executive. The council of Ministers is responsible to Lok Sabha, and can be removed on its adverse vote only. In practice the ministers do not hold office during the pleasure of the President.

The constitution 42<sup>nd</sup> Amendment Act has made it obligatory for the President to act only on the advice of the council of Ministers. The President cannot act independently. His powers are formal In accordance with the 44<sup>th</sup> Amendment of the constitution. The President can send back a bill passed by the Parliament for reconsideration only once. If the bill is again passed by the Parliament. The President has to give his assent to the bill.

In the Constituent Assembly, Dr.B.R.Ambedkar had rightly said” The President occupies the same position as the king in the British constitution: But in reality the President of India is not a mere rubber stamp. The constitution lays down that the President has to preserve, protect and defend the constitution.

By way of conclusion, we may describe the position of the President in the words of Dr. B.R.Ambedkar .The President is the head of the state but not the executive. The President represents the nation but does not rule over the nation. The President is the symbol of nation. His place in the administration is that of a ceremonial.

## **2. Explain the Powers, functions and role of Prime Minister of India.**

Ans) As a President of India is a constitutional executive head, the real executive authority of the Union is exercised by the Prime Minister and his council of Ministers. The Office of the Prime Minister has been created by the constitution. The Prime Minister is appointed by the President. Generally the President has no choice in the appointment of the Prime Minister and invites the leader of the majority party in the Lok Sabha for this office. The Prime Minister theoretically holds office during the pleasure of the President. But the Prime Minister actually stays in office as long as he enjoys the confidence of the parliament. The normal term is five years but it is automatically reduced if the house is dissolved earlier.

**Powers And Functions Of Prime Minister:** The Prime Minister enjoys extensive powers. They are:

- (1) He is the Leader of the majority party in the Lok Sabha and the President convenes and prorogues all sessions of the parliament in consultation with him.
- (2) He can recommend the dissolution of Lok Sabha to the President before expiry of its normal term.
- (3) All the members of the council of ministers are appointed by the President on the recommendation of the Prime Minister.
- (4) He allocates portfolios among the various ministers and reshuffles them. He can ask a minister to resign and can even get him dismissed by the President.
- (5) He presides over the meeting of the council of ministers and exercises a strong influence on its decisions.
- (6) He exercises general supervision over the working of other ministers and ensures that they work as a team.
- (7) The Prime Minister can bring about the fall of the council of ministers if He resigns. He is the pivot around which the council of ministers revolves.
- (8) The Prime Minister is the chief channel of communication between the president and the council of Ministers and keeps the former informed about all the decisions of the council.
- (9) He assists the President in the appointment of all high officials.
- (10) He can recommend to the President, with the concurrence of other cabinet ministers, to proclaim a state of emergency on grounds of war, external aggression or armed rebellion.
- (11) He advises the President about imposition of presidential rule in the states on grounds of breakdown of constitutional machinery or imposition of an emergency due to financial instability.

The Prime Minister occupies a position of tremendous influence and prestige. But the position of the Prime Minister depends to a large extent on his personality and the position of his party in the parliament. A person of the stature of Jawaharlal Nehru or Indira Gandhi, is always more



effective than a person who lacks vision or depends on support from outside his party. The Prime Minister is not only leader of the parliament but also leader of the nation.

### 3. Describe Functions Of The Vice –President of India ?

Ans: The constitution provides for a Vice President who is elected by members of the two houses of parliament, in accordance with the system of proportional representation by means of a single transferable vote. The voting is held by secret ballot. The vice President has to possess the following qualifications.

1. Must be a citizen of India.
2. Must be more than 35 years of age.
3. Must possess the qualifications prescribed for membership of the Rajya Sabha.
4. Not be member of either house of the Parliament or State Legislature.
5. Not hold any office of profit under the Union or State Govt. or Local authority.

**Terms And Emoluments:** The Vice President holds office for a term of five years from the date on which he enters office. He is eligible for re-election. His term can be cut short if he submits his resignation to the President or is removed by the Rajya Sabha through a resolution passed by a two-third majority of its members and likewise agreed to by the Lok Sabha. The Vice President acts as the ex-officio chairman of Rajya Sabha and gets a monthly salary of Rs.1,40,000 and other benefits.

**Powers And Functions Of The Vice President:** The framers of our constitution provided for two important powers while constituting the office of the Vice President:

They are: 1) **Ex-Officio Chairman of the Rajya Sabha:** The Vice President is the ex-Officio chairman of the Rajya Sabha. He presides over the meetings of the Rajya Sabha. He conducts the meetings of the Rajya Sabha with dignity, decency and decorum. He gives ruling in the meetings and permits the members to express their views on different bills and issues. He conducts voting on the bills and announces the results. He maintains correspondence with other top executive and legislative authorities in the country. He safeguards the privileges and amenities of the members of Rajya Sabha.

2. **Acting as the President:** If ever a vacancy arises in the office of President, due to death, resignation or impeachment, the Vice President officiates as the President for not more than six months. During that period, he enjoys all powers of the President, and does not preside over the house when he officiates as President. When the Vice President discharges the functions of the President, he shall be eligible for all the benefits and immunities of the President.

## II. Short Questions and Answers

**4 Marks**

### 1. Explain the method of election of the President?

Ans) The President is elected by an electoral college consisting of the elected members of both houses

of Parliament ie. Lok Sabha, Rajya Sabha and State Legislative Assemblies. Nominated members of Parliament and members of State Legislative councils are not members of the electoral college. The election is held by means of single transferable vote system of proportional representation. The voting is done by secret ballot. Each member of the Electoral College has only one vote. But the value of the elected members of State legislative Assemblies differ from those of elected members of parliament.

The value of vote of each member of legislative assembly of a state is determined by the formula as given below.

$$= \frac{\text{Total population of the State}}{\text{Number of elected numbers of state legislative Assembly}} \times 1000$$

Ex: The population of Punjab is 1,35,51,060,

members of Vidhana Sabha 104 =  $1,35,51,060 \div 1000 =$

130 (As the remainder .29 is less than 50% ,it is ignored)

The member of each vote of a member of parliament:

Ex: Total number of votes of all the legislators is 5,44,971.

Elected numbers of parliament: 776.

$$= \frac{5,44,971}{776} = 702.28 = 702$$

The election of the President is held through single transferable vote system of proportional representation. Under this system names of all the candidates are listed on the ballot paper and the elector gives them number according to his preference. The candidate receiving absolute majority of first preference votes is declared elected. However if no candidate receives an absolute majority of first preference votes, the ballots of the candidate securing the least number first preference votes transferred. This process is followed till candidate secures an absolute majority of votes. Let us understand it with following examples:

Supposing the total number valid votes is 20,000 and there are four candidates, A, B, C.D.

The quota in this case will be:  $20,000 \div 1 = 10001$

$$1+1$$

Let us assume the first preference votes cast in favour of 4 candidates are as follows:

A = 9000,      B=2000      C=4000      D=5000

As no candidate has reached the quota ie. 10001. Candidate'' getting the least number of votes gets eliminated and his votes transferred to the other candidates.

Supposing as a result of transfer of votes ''A'' gets 1100 ''C'' gets 500 and ''D'' gets 400. Now the position would be as follows:

$$A = 9000 + 1100 = 10,100$$

$$C = 4000 + 400 = 4,400$$

$$D = 5000 + 500 = 5,500$$

Since ''A'' reaches quota he is declared elected as the President.

Before entering upon the office the President has to take an oath of office in the presence of the Chief Justice of India.

**2. Describe the qualifications for the Office of the President of India. What is his and how can he be removed from Office ?**

Ans. India is a sovereign democratic republic. The President of India who is head of State, is indirectly elected.

Qualifications: The qualifications for the office of President are:

1. Should be a citizen of India.
2. Should have completed the age of 35 years.
3. Should be qualified to be elected as a member of Lok Sabha and
4. Should not hold any office of profit under the Govt. of India.
5. The name of a candidate for the post of the President must be proposed and seconded by at least 50 electors. He has also to deposit a security of Rs.15,000/- to contesting elections.

**Removal Of The President:** The President can only be removed from Office through a process called impeachment. He can only be impeached for violation of the constitution. The resolution to impeach the President can be moved in either house of Parliament. It can be moved only after a notice has been given by at least one fourth of the total number of members of the house. Such resolution must be passed by a majority of not less than two-third of the total membership of that house before it goes to the other house for investigation.

The charges leveled against the President are investigated by the second house. The President may defend himself in person or through his counsel. If the charges are accepted by a two-third majority of the total membership of the second house, the impeachment succeeds. The President thus stands removed from the Office from the date on which the resolution is passed.

### **3. Describe the Legislative Powers of the President of India?**

Ans. The President being an integral part of parliament enjoys many Legislative powers. These powers are given below:

- (1) He summons and prorogues the meetings of both houses of parliament. He also dissolves the Lok Sabha on the advice of the Prime Minister. He address either house or both the houses of parliament. He also sends messages to either house from time to time.
- (2) The President reserves the right to nominate 12 members of Rajya Sabha from amongst persons having special knowledge in the field of literature, science, art and social service, and two Anglo-Indians to the Lok Sabha if this community has not received adequate representation.
- (3) All the bills passed by Parliament must receive his assent before they become law. The President can ask the parliament to re-pass the bill if the President has to give his signature.
- (4) The President can call a joint sitting of the two houses of parliament in case of a disagreement between Lok Sabha and Rajya Sabha on a non-money bill.
- (5) The president can enact Laws through ordinances when the parliament is in recess.

### **4. Explain the Executive Powers of the President ?**

Ans. The President is head of State and executive powers of the Union have been vested in him. The President is empowered to exercise these powers either directly or through officers subordinate to him which means through the Prime Minister and Council of Ministers. His executive powers are given below:

- (1) The President appoints the Prime Minister and he appoints other ministers on the advice of the Prime Minister. He allocates portfolios among the ministers on the advice of the Prime Minister. He may remove any minister on the advice of the Prime Minister.
- (2) The President appoints the Chief justice and other judges of the Supreme Court and High Courts. He also appoints comptroller and Audit General and Attorney General of India, the chairman and members of the U.P.S.C. Ambassadors and other diplomatic personnel. He also appoints the Governors of States, Lt. Governors of Union Territories. All such appointments are made on the advice of the Union Cabinet headed by Prime Minister.
- (3) He constitutes the Finance Commission, Election Commission the Official Language Commission, the Commission of the Scheduled Caste, Scheduled Tribes and backward classes commission.

- (4) The President is the Supreme commander of the Armed forces. As such the President makes appointments of Chiefs of Army, Navy and Air forces. The President can declare war and make peace. All the functions are performed by the President on the advice of the Prime Minister.

**5. How is the Prime Minister of India appointed ? Explain.**

Ans. The executive powers of the President are exercised by council of Ministers. The constitution provides that “there shall be a council of Ministers with the Prime Minister at the head to aid and advise the President in the exercise of his functions”. The President is the constitutional head of state, but the real head of the Government is the Prime Minister.

**Appointment of the Prime Minister:** The Prime Minister is appointed by the President but the President does not have freedom in the selection of the Prime Minister. Normally the President has to invite leader of the majority party to form the Govt. In case no single party is in clear majority, the President invites the person who is likely to command support of two or more parties which make up majority in the Lok Sabha. Once appointed, the Prime Minister holds Office so long as he enjoys the support of the majority of members of Lok Sabha. The Prime Minister is normally leader of the majority party in Lok Sabha. However there have been cases when a member of Rajya Sabha was made the Prime Minister. This happened when Mrs. Indira Gandhi was first appointed. Members of the Council of Ministers are appointed by the President on the advice of the Prime Minister. In order to be Minister, a person has to be a member of either of two houses of parliament. Even a person who is not a member of any of the two houses can become a minister for a period of six months. All the Ministers are collectively as well as individually responsible to the Lok Sabha.

**6 Distinguish between the Council of Ministers and the Cabinet. ?**

Ans. The terms council of Ministers and the “Cabinet” are often used as inter-changeable terms. In reality, they are not prior to 44<sup>th</sup> Amendment of the constitution, the word “Cabinet” was not mentioned in the constitution. Let us distinguish between the council of Ministers and the cabinet. The main points of differences are

1. The Council of Ministers consists of all category of ministers i.e. cabinet Ministers and Ministers of State the cabinet on the other hand consists of Senior Ministers only.
2. Cabinet number varies from 15 to 30 while the entire council of ministers can consist of even more than 70.
3. The Council of Ministers as a whole rarely meets. The cabinet on the other hand meets as frequently as possible
4. It is the cabinet that determines the policies and programmes of the Govt. and not the council of Ministers.

Thus, cabinet is an inner body within the council of ministers. It acts in the name of the Council of Ministers and exercises all powers on its behalf.

### **7. Describe the collective and individual responsibility of the Ministers?**

Ans. The council of Ministers is collectively responsible to the Lok Sabha and has to resign as soon as it loses the confidence of Lok Sabha. Even a vote of non-confidence against a single minister by the Lok Sabha is taken as a vote of no-confidence against the entire council of ministers and the entire list resigns. The Principle of collective responsibility also implies that the ministers are expected not to air their differences in public. If a member of the council of Ministers does not agree with its decision, he should tender his resignation. In addition to the collective responsibility, each ministry is also individually responsible for his department and can be removed from his office by the President (on the advice of Prime Minister) even if he enjoys the confidence of the Lok Sabha.

### **8. Explain the emergency powers of the President of India.**

Ans. Part XVIII of our constitution explains the emergency powers of the President of India. The constitution provides the President three types of emergency powers. Those are.

- 1. Emergency caused by war or armed rebellion (Art.352):** If the President is satisfied that the security of India or any part thereof is threatened by war due to external aggression or war or armed rebellion, he can issue a proclamation of emergency. Such a proclamation can be issued by the President only on the basis of a written advice of the Union cabinet (After 44<sup>th</sup> Constitution Amendment). Such a proclamation of emergency shall be approved by the Parliament within one month by both the houses with 2/3<sup>rd</sup> majority of members present and voting in each house.

When emergency is in vogue, India transforms itself from Federal State to unitary State. State Governments should exercise all their powers in accordance with the directions issued by the Central Government.

- 2. Emergency caused by the failure of constitutional machinery in a state.**

(Article 356). Article 356 provides that, if the President, on the receipt of the report from the Govt. satisfied that the Govt. of the State cannot be carried on in accordance with the constitution, he may proclaim constitutional emergency for that state. The proclamation, if approved by the parliament, shall continue for a period of six months. It may be extended for another six months.

- 3. Financial Emergency: (Article 360).** If the President is satisfied that a situation has arisen whereby the financial stability or credit of India or any part of India is threatened, he may issue a proclamation of financial emergency. When financial emergency is in vogue, the President may direct any state to observe certain financial properties. He may issue orders for the reduction of salaries of all public servants including the judges of the Supreme Court and High Courts.

### III. Very Short Questions and Answers

2 Marks

**1. By whom is the Indian President elected?**

Ans. The Indian President will be elected by Electoral College. Its formed with the elected members of both the houses of Parliament and State Legislative Assemblies.

**2. What are the two important powers of the Vice-President of India.**

Ans. The two important powers of the Vice President of India are

To act as the ex-officio chairman of the Rajya Sabha.

To act as the President in the event of a vacancy of the President by reason of death, resignation or removal or otherwise.

**3. Name of four persons who acted as the President of India.**

Ans: 1) Dr .Rajendra Prasad.)1950-62)

2. Dr.Sarvepalli Radha krishnan (1967 -69)

3. Zakir Hussein – (1967 -69)

4. Varahagiri Venkata giri ( 1969-74)

**4. Write about the Presidents rule in India.**

Ans. Article 356 of our constitution empowers the President of India to promulgate constitutional emergency or Presidents rule in any state if the Government of that State cannot be carried on in accordance with the constitution.

**5. How is the President of India impeached from his Office?**

Ans. According to 56 and 61 articles of our constitution, the President can be removed from Office through impeachment for the violation of the constitution. The resolution can be introduced in either of the two houses of parliaments with 14 days prior notice. Such a resolution must be approved by not less than 2/3<sup>rd</sup> majority of the total members of both the houses of parliament.

**6. Mention any two powers of the Union cabinet.**

Ans. 1. The Union Cabinet formulates the policies of the Union Govt. It finalize the domestic as well as foreign policies of the nation after having serious deliberations. It renders advice to the President on all matters of the Union Govt. It takes initiative in guiding the President in the exercise of his functions.

**7. How is the Prime Minister appointed?**

Ans. The Prime Minister of India is appointed by the President of India. The President shall in vide the leader of the party that secured majority seats in the general or midterm elections held to the lower house of the Parliament and conducts oath of Office and declare him as the Prime Minister.



**8. How many types of Ministers are there in the Union Government? Identity their categories.**

Ans. There are three types of ministers in the Central Govt. they are:

1. Cabinet: Cabinet Ministers are those ministers who hold very important portfolios like Home, Defense and Foreign affairs.
2. Ministers of State: The ministers of State are lower in rank to the cabinet ministers. They assist the cabinet ministers.
3. Deputy Ministers: The Deputy Ministers belong to the lowest category Of ministers. The help of cabinet and state Ministers.

**9. What are the duties of the Prime Minister towards the President of India.**

Ans. The Prime Minister acts as the link between the President and the Union Council of Ministers. It is his duty to communicate to the President about the decisions of the Union Council of Ministers. He provides every information required by the President concerning the affairs of union Govt. All the ministers shall formally meet the President only with the consent of the Prime Minister.

**10. What do you know about collective responsibility?**

Ans) The ministers in the parliamentary system of Govt. are collectively responsible to the parliament. For example, in India all the Ministers are collectively responsible to the Lok Sabha in discharging their functions. The Principle of collective responsibility is codified in article 73(3) of the constitution. The Principle borrowed from the British constitution.

**11. What is the position of the Prime Minister in his Political party?**

Ans. The Prime minister acts as the Leaders of the majority party or group in Lower house of parliament. He participates in the meetings of the party and acquaints his party members on various issues and steps taken by his ministry in implementing the party promises.

**12. What is the position of the Union Executive in Union Government.**

Ans. The Union Executive plays an active and curtail role in the matters of decision making and its implementation in the Union Govt. It is the apex body deciding the executive action at the national level.

**13. How many times and in what context the Indian President used Article 352?**

Ans. Article 352 (National Emergency) was invoked in India for four times till now. 1) Chinese Aggression 1962 (2) Indo-pak war (1965) (3) Indo-pak war in the context of Bangladesh Liberation Movement (1971) (4) Oppositions call for blocking parliament (1975). while the first three instances relate to external emergency, the last one refers to internal emergency.

**14. How long will the Union Ministers continue in their Office ?**

Ans. The Union Council of Ministers shall continue in their office as long as they enjoy the confidence of the lower house of the parliament, which means they hold their Office as long as they have the support of the majority members in the Lok Sabha.

**15. No confidence Motion:**

Ans. It is a motion moved by a member of legislature expressing no-confidence of the house in the council of Ministers. It adopted by the legislature, the council of Ministers has to resign.

**16. Impeachment:**

Ans. An impeachment is a quasi judicial procedure leading to the removal of a high public official, say the President of India, on the grounds of the violation of the constitution.

**17. Contingency fund of India:**

Ans. It is a fund kept by the Union Government to meet any unforeseen expenditure for which money is immediately needed. The President has full control over this fund. The President permits withdrawals from this fund.

**18. President Veto:**

Ans. It is a device available with the President to check hasty and ill –considered legislation by the parliament. Veto has been classified in three categories on the basis of its impact viz. absolute veto, Suspensive veto, and pocket veto. If the President refuses to sign the bill passed by the parliament and stops the passage of Law, it is known as absolute veto. Actually the President of India can use absolute veto in two cases. 1) on private members bill, and (2) if the council of ministers tenders resignation after the bill has been passed by the parliament and before the president gives his assent. In this case the new cabinet usually advice the President to reject the bill.

Suspensive Veto implies that after the bill is passed by the parliament it is sent to the President for his assent. The President can refer back the bill to parliament for reconsideration. If the parliament re-passes the bill. The President has to give his assent. As this type of veto has the impact of suspending the enactment of the have, it is known as Suspensive veto.

In Pocket veto the President instead of giving assent to the bill or sending it back to the parliament for reconsideration, takes no action on the bill. After the lapse of the stipulated period the bills automatically lapses. In short the President can kill a bill by simply pocketing it.

**IV. One Word Questions and Answers (In Text Questions)**

Choose the correct answer from alternatives given below:

1. The minimum age for the office of the President of India.  
(a) 21 years                      (b) 25 years                      (c) 30 years                      **(d) 35 years.**
2. The Presidential candidate must have the qualifications required for a member of:  
**(a) Lok Sabha**                      (b) Raja Sabha                      (c) Vidhana Parishad (d) Zilla Parishad.
3. Members of which of the following house are not members of the electoral college:  
(a) Rajya Sabha                      (b) Vidhana Sabha **(c) Vidhana Parishad** (d) Lok Sabha.

4. The President of India is elected for a term of  
(a) three years                      (b) Four years                      (c) **Five years**                      (d) Six years.
5. The proposal of impeachment of President of India can be moved in:  
(a) Lok Sabha                      (b) Rajya Sabha                      (c) Vidhaya Sabha (d) Either house of Parliament.
6. Who acts as President when neither the President nor the Vice President is available.  
(a) The Prime Minister                      (b) **The chief Justice of India**  
(c) The Chief Election Commissioner                      (d) The Speaker of Lok Sabha.
7. Who is the Supreme Commander of India's armed forces?  
(a) The President.
8. On whose recommendations the members of the Council of Ministers are appointed?  
Ans: Prime Minister.
9. What is the procedure of removal of the President known as?  
a) Impeachment.
10. How many members of the Rajya Sabha are nominated by the President?  
Ans: Twelve members.
11. Who are the electors of the Vice-President of India.  
Ans: Member of Parliament.
12. Mention one Judicial power of the President?  
Ans: Power of pardon the criminals.
13. What type of bills are invariably introduced in the Lok Sabha with the prior approval of the President? Ans: Money bill.
14. The head of the Government of India is the.....of India.  
(President/**Prime Minister** /Chief Justice)
15. The portfolios of the Ministers are distributed and reshuffled by the  
(**Prime Minister** //President/Vice President)
16. The meetings of the cabinet are presided over by the.....  
(speaker of Lok Sabha /**Prime Minister**/President)
17. The Executive powers of the President are exercised by the.....  
(**Council of Ministers**/Prime Minister's Office/Cabinet Secretary)
18. The Lok Sabha can be dissolved by the President on the written  
Request of the ( **Cabinet**/Rajya Sabha/Supreme Court)
19. The President's address to the parliament is prepared by the.....  
(Vice President/**Union Cabinet**/Prime Ministers Office)
20. The council of Ministers is responsible to the.....  
(**Lok Sabha** (Rajya Sabha /Parliament))

# The Parliament of India

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## Introduction

You have read in the preceding lesson that India has a parliamentary form of Govt. in which the Prime Minister and his council of Ministers are collectively responsible to the Lower House of the parliament ie. Lok Sabha. In a parliamentary form of Govt. the parliament is the most important organ. It is the people who elect their representatives to be members of the parliament and these representatives legislate and control the executive on behalf of the people. The Prime Minister and his council of Ministers remain at the helm of affairs so long as they enjoy the confidence of Lok Sabha. Thus the Parliament occupies a central position in our parliamentary system.

## Objectives

After studying this lesson, you will be able to:

- Recall that the Parliament of India consist of the President and the two houses.
- Describe the composition of the Rajya Sabha and the Lok Sabha.
- Explain the functions of Indian parliament.
- Describe the procedure of Law making in the Indian Parliament, and
- Compare the functions and powers of both the houses and show that Lok Sabha is more powerful.

## I. Essay Questions and Answers

**8 Marks**

### 1. Discuss The Functions Of Parliament?

Ans: The constitution of India provided parliamentary form of Govt. for our country. The Union Legislature plays a significant role in the legislative affairs of the Union Government. It consists of two houses, namely, the Lok Sabha and the Rajya Sabha. While the Lok Sabha represents the people of India, the Rajya Sabha represents in interests of the State. The powers and functions of India parliament are explained under the following heads.

**1. Legislative Functions:** Basically the parliament is a law making body. Our constitution has provided enormous legislative powers and functions to the Indian Parliament. The main function of Indian Parliament are to prepare laws for smooth and efficient administration of the country. Accordingly, It makes Laws on all those subjects included in the Union list and concurrent list. It also makes laws over the subjects included in the state list when there is a President Rule in the State and the Rajya Sabha requests the Parliament to enact such a legislation. It is also approves the bills introduced in the place of ordinances issued by President. Normally, bills may be introduced in either of the two houses. Every bill must be approved by the two houses. In this regard every bill must be accepted by the other house within a period of six months. Whenever a conflict arises between the two houses in this regard, the President summons a joint sitting of the two houses so as to enable the parliament to settle the dispute.

**2. Executive Powers:**

In a parliamentary system of Govt. there is a close relationship between the legislature and Executive. And the Executive is responsible to the legislature for all its acts. The Prime Minister and his council of Ministers are responsible to the Parliament individually as well as collectively. The Ministers shall continue in office until they enjoy the confidence of the majority members of the Lok Sabha. The members of Parliament, by asking questions, supplementary questions, by introducing adjournment motions and by moving no-confidence resolutions against the Executive, exercise enormous control over the members of the Union council of ministers. The council of Ministers resigns from the office when (a) Parliament accepts a no-confidence resolutions against it. (b) a public bill is defeated (c) Opposition members resolution is accepted. (d) Provision in the budget is curtailed. The parliament supervises the administration of a Executive with the help of several committees like committee on petitions, estimates committee, public Accounts Committee. It can even impeach the President of India on proved grounds of inefficiency, misuse or abuse of the constitutional powers.

**3. The Financial Functions:**

The parliament performs important financial functions. It is the custodian of the public money. It controls the entire purse of the Central Government. No money can be spent without its approval. This approval may be taken before the actual spending or in rare cases after the spending. The budget is approved by the parliament every year. The Lok Sabha enjoys greater powers in financial matters than the Rajya Sabha. All the money bills are introduced in the Lok Sabha only.

**4. The Electoral Functions:**

The elected members of parliament members of the Electoral College for presidential elections. As such, they participate in the election of the President of India. They elect the Vice President. The Lok Sabha elects its speaker and Deputy Speaker and the Rajya Sabha elects its Deputy Chairman.

## 5. Judicial Powers And Functions:

The Union parliament has certain judicial powers and functions. It alone has the authority to increase the number of Supreme Court and High Court judges. The Judges can be removed from Office if the parliament passes a resolution with two –third majority in both the houses. The Speaker of the Lok Sabha can order for punishment to any member or outsider if they are responsible to bring down the prestige and dignity of the house.

## 6. Power Of Removal:

Certain high functionaries may be removed from office on the initiative of the parliament. It hears all allegations leveled against the dignitaries in higher offices like the President, and Vice President. The Judges of Supreme Court and High Courts, Chief Election Commissioner, UPSC Chairman, Comptroller and Auditor General of India on the basis of certain proved allegations.

## 7. Functions Regarding The Amendment Of The Constitution:

Most of the parts of the constitution can be amended by the parliament by special majority. There are three methods of amendment. Some amendments are made with a simple majority in both the houses. Some amendments are made with two –third majority in both the houses separately and some amendments are made in two third majority in both houses separately and ratification by half of the total number of state legislatures in India.

## 8. Miscellaneous Functions:

Besides the above mentioned functions, the parliament also performs a variety of other functions. The Indian Parliament possesses the right to create or abolish State Legislative councils. It also possesses the power to change the boundaries of the States. It provides necessary training for those politicians who aspire higher offices in their political career.

The Indian parliament enjoys tremendous powers in the legislative financial and Executive matters. It has to mirror the aspirations and needs of the people of India.

## 2. Describe The Law Making Procedure In India ?

Ans. Law making is an important function of Indian parliament. The constitution of India mentioned this matters in articles 107 to 122. Indian Parliament makes Laws on all matters included in the union and concurrent lists. Any proposed Law is introduced in the parliament as a bill . After being passed by the parliament and getting the President's assent it becomes a Law. There are two kinds of bills, which come up before the parliament: 1) Ordinary bill and (2) money bill. Here we shall discuss the legislative procedure in each of these kinds of bills.

**Ordinary Bills:** Every Member of Parliament has a right to introduce an ordinary bill and from this point of view. We have two types of bills – Government bills and private bills. A minister moves a Govt. bill and any bill not moved by a Minister is a private members bill. Which means that the bill has been moved by a member of parliament but not a minister in the Govt. The Govt. Bills consume most of the time of the parliament. The bills pass through several stages.

**1. Drafting Of The Bill:** When there is a proposal for introducing a bill in the parliament, the concerned ministry gathers information with regard to the bill and submits it to the Union cabinet. If the Union Cabinet accepts it, the concerned Minister submits the bill with a prior notice of eight days in either house of the parliament.

**2. Three Readings:**

**a) First Reading:** The member in charge of the bill on a particular day, with the suggestion of the Presiding Officer introduces the bill in the house after the question hour.

**b) Second Reading:** There are two stages in the second reading. In the first stage, a general discussion takes place on the bill and in the second state, the House discusses draft of the bill clause by clause.

**c) Third Reading:** When all clauses and schedules of the bill have been constitute and voted by the house. The member in charge requests the house to pass the bill and House accepts the bill with simple majority.

**3. Considering The Bill In The Second House:** After the bill has been passed by the originating House, it is transmitted to the second House for its concurrence. The second house like the first one considers the bill at different stages. At this juncture, the second house may accept the bill with or without modification or reject the bill completely.

**4. Joint Session:** In case of a dead lock, the President convenes a Joint Session of the two Houses. The Speaker of the Lok Sabha Presides over the meeting. The members are allowed to propose modifications to the Bill. The fate of the bill is decided by the decision of the majority members. Until now the Joint Sessions of Parliament were held three occasions, namely (1) Dowry Prohibition bill, 1961 (2) Banking Service Commission (Repeal) Bill, 1978 and (3) POTA Bill (2002)

**5. Presidents Assent:** When a bill passed by the two Houses, the speaker sends the bill to the President for his assent. When the President gives his assent, the bill comes into force. The President also has some options in this regard. 1) He may give his assent and with his assent, the bill becomes law. 2) He may withhold his assent, It may suggest some changes. In such a case the bill is sent back to the House from where it had originated. But if both the Houses pass the bill again with or without accepting the recommendations of the President, the President has no option but to give his assent. (3) In 1986, the President Giani Zail Singh invented a new option. He neither gave his assent nor he returned it to the Parliament for reconsider action of the postal Bill. He sought some clarifications, which were never provided. The Bill thus, lapsed.

**3. Describe Powers Of The Speaker Of Lok Sabha?**

Ans: The Presiding Officer of Lok Sabha is known as Speaker. The members of the House elect him. He remains the speaker even after Lok Sabha is dissolved till the next House elects a new speaker in his place. In his absence, a Deputy Speaker who is also elected by the House



Presides over the meetings. Both the Speaker as well as the Deputy Speaker can be removed from Office by a resolution of Lok Sabha passed by a majority of all the members of the House.

Some of the powers and functions of the Speaker are given below:

1. The Speaker presides over the meeting of the Lok Sabha. He conducts the meetings with dignity, order and efficiency. He determines the agenda of the meetings after consulting the Leader of the House.
2. He allots time to the members to express their views on the bills, conducts voting, if necessary, and announces the results.
3. He sends bills to the Rajya Sabha after they are approved to Lok Sabha.
4. He acts as the representative of the Lok Sabha. He sends messages and directives on behalf of the Lok Sabha. He receives various petitions from the people.
5. He takes steps to safeguard the rights and privileges of the members and to uphold the respect for the house.
6. He has the privilege of deciding whether a bill is money bill or not.
7. He is empowered to allow members to raise point of order on a bill and also empowered to decide the quorum of the house.
8. He facilitates the members to express their view on thanks giving notion of Presents speech.
9. He constitutes various House Committees and appoints their Chairman. He acts as the ex-officio chairman of some committees such as Rules committee, Business Affairs Committee etc.,
10. He presides over the Joint Session of the Parliament.
11. He acts as a member of common wealth speakers Forum/Chairman of Indian Parliamentary group and Head of the Lok Sabha Secretariat.
12. He receives the electoral certificates of the new members, takes decision on the resignation of the members, allots seats to the Press, viziers etc.
13. He will have control and supervision over the marshals and other personnel in the premises of the house.
14. He exercises his casting vote in order to decide the future of a bill in case the members are divided equally.
15. He conducts the election of the Deputy Speaker in case of a vacancy.

#### **4. Describe the composition of Rajya Sabha and method of election of its members?**

Ans: The Rajya Sabha is also known as the Council of States. It is the upper Chamber in Indian Parliament. Its members enjoy the same privileges and position as enjoyed by the members of Lok Sabha.

**Composition:** Article 80 of our constitution mentioned about the composition of the Rajya Sabha. The Rajya Sabha consists of members representing the States and Union Territories. The membership of the Rajya Sabha cannot exceed 250. Out of these, the President nominates 12 members on the basis of their excellence in literature, Science, art and Social Service and the rest are elected members of the State Legislative Assemblies elect the members of the Rajya Sabha on the basis of proportional representation through the single transferable vote system. But all the states do not send equal number of members to the Rajya Sabha. The representation is decided on the basis of population of respective states. The election Commission of India organizes the elections. The election procedure adopted to fill up the seats in the Rajya Sabha was drawn from the constitution of former South Africa.

**Qualifications:** A person who wishes to contest as a member of Rajya Sabha must have the following qualifications.

Those are:

- 1) He shall be an Indian citizen.
- 2) He shall have completed 30 years of age.
- 3) He shall not hold any office of profit either in central or State Govt.
- 4) He shall be healthy.
- 5) He shall not be an insolvent petitioner.
- 6) He shall possess such other qualifications prescribed by the parliament From time to time.

**Tenure:** Every member of Rajya Sabha enjoys a safe tenure of Six years. One third of its members retire after every two years. They are entitled to contest again for the membership.

**Officials Of Rajya Sabha:** The Vice President of India is the Ex-Officio Chairman of the Rajya Sabha. He presides over the meetings of Rajya Sabha. In his absence the Deputy Chairman, who is elected by its members amongst themselves, presides over the meeting of the house. As the Vice President is an ex-officio Chairman and not a member of Rajya Sabha. He is normally not entitled to vote. He can vote only in case of a tie. Tie means a situation in which there are equal votes cast in favour and against a bill or resolution. In such a situation the Presiding Officer may exercise a casting vote in favour/against to break the tie.

## **5. Analyze the relationship between the two Houses of the Parliament ?**

Ans: We have seen earlier that the two Houses of Parliament differ in their composition. From the federal point of view the Rajya Sabha represents the states in the Indian Union while the Lok Sabha is the representative of the Indian people. This is also the reason why the method of election differs. The members of Legislative Assemblies of the State elect the members of Rajya Sabha while the people directly participate in the elections to the Lok Sabha. Rajya Sabha is a permanent House while the Lok Sabha is constituted for a specified term of five years. From the

constitutional point of view, the relationship between the two Houses can best be studied from three angles which are as follows:

1. There are certain powers and functions in which Lok Sabha is superior to the Rajya Sabha. Introduction and adoption of money bills and removal of a cabinet by passing no confidence motion are two examples relevant here.
2. In certain areas Rajya Sabha has been vested with exclusive powers. It does not share these powers with the Lok Sabha. For example, it can declare a subject in State as a matter of national importance and facilitate a Central legislature.
3. In several areas, both the Houses enjoy equal powers. The examples are adoption of Bills other than money bills, approval of proclamation of Emergency, moving of adjournment and other types of motions.

Members of both Houses of Parliament get Rs. 2 Crore per annum from the Member of Parliament local Development fund. The M.P. can use it for development Projects in his area.

## **II. Short Questions and Answers**

**4 Marks**

### **1. Qualification for membership of Rajya Sabha.**

Ans: The qualifications for becoming a Rajya Sabha member are as follows:

1. He should be a citizen of India and at least 30 years of age.
2. He should make an oath or affirmation stating that he will bear true faith and allegiance to the constitution of India.
3. Thus according to the representation of people Act 1951, he should be registered as a voter in the state from which he is seeking election to the Rajya Sabha. But in 2003, two provisions have been made regarding the elections to Rajya Sabha 1) Any Indian Citizen can contest the Rajya Sabha elections irrespective of the States in which he resides (2) Elections are to be conducted through open voting system.

### **2. Second Reading**

Ans: The legislative procedure in India is quite elaborate. A bill has to pass through numerous stages before it becomes Law. There are two kinds of Bills, which come up before the Parliament. 1. Ordinary bill and money bill. The bill pass through several stages.

This stage is the most vital stage. After general discussion the House has four options. 1. It may straightway take the bill into detailed consideration or 2) refer it to a select committee of House or (3) refers it to the Joint Committee of both the houses or (4) Circulate it among the people to elicit public opinion. If the bill is referred to a select committee of the House or Joint select committee of both the houses, the concerned committee examines the bill very minutely. Each and every clause is examined. The Committee may also take the opinion of professionals and legal experts. After due deliberations, the committee submits its report to the House.

### **3. The Budget**

Ans. The budget is an annual financial statement showing expected revenue and expenditure of public money. It is not a bill. Every year the budget is presented by the finance Minister in the Lok Sabha. The budget making is a big exercise. The Finance Ministry prepares the budget but it involves the entire Govt. The budget in India is presented in two parts. Railway budget and the General budget. The Railway budget is generally presented by the Railway Minister in the third week of February. The General budget is presented along with the speech of the Finance Minister. After the speech, the Finance Minister introduces the Finance Bill, which contains the taxation proposals of the Govt. The House rises thereafter and there is no discussion on the day of presentation of the budget. The Lok Sabha sets up committees for all major Ministers and Departments of union Govt. The select Committee consider demand for grants in details and submit their recommendations to the Lok Sabha.

### **4. Special powers of Lok Sabha ?**

Ans. Being a popular elected house the Lok Sabha has been vested with certain special powers. Which are as under.

1. All money bills can originate only in the Lok Sabha.
2. The final authority with regard to passage of a money bill rests with the Lok Sabha. No doubt. The Rajya Sabha can make certain recommendations with regard to money bill but it is up to the Lok Sabha to accept the same or not. Hence it can be said that Lok Sabha enjoys exclusive powers with regard to money bill.
3. The Lok Sabha enjoys exclusive powers to pass a no-confidence motion against the council of Ministers and Oust it from office before the expiry of its terms.

### **5. Special Powers Of Rajya Sabha.**

Ans. The constitution of India has vested several special powers in the Rajya Sabha. There are as under:

1. Resolution for the removal of the Vice President of India can originate only in the Rajya Sabha. After the resolution is passed by majority of the Rajya Sabha it is sent to the Lok Sabha for approval.
2. The resolution for the creation of new All India Services can be initiated only in the Rajya Sabha. Only after the Rajya Sabha passes a resolution to this effect by a special majority ie. Two- third majority of members present and voting, the parliament can enact necessary Law to this effect.
3. Legislation on any subject of the State list can originate only in the Rajya Sabha. However before doing so the Rajya Sabha has to satisfy itself that it is necessary or expedient in national interest to do so.

## **6. Money Bill**

Ans. The bill that deals with the money matters ie. Imposition , abolition, alteration of any tax or the regulation of the borrowing of money or giving of any guarantee by the Govt. of India or amendment of Laws with respect to any financial obligation undertake by the Govt. of India or related to consolidated Fund or Contingency Funds of India is called a Money Bill.

Money Bill shall be introduced at first only in Lok Sabha. Soon after the acceptance of money bill in the Lok Sabha the speaker sends it to Rajya Sabha for its recommendations. The Rajya Sabha is deprived of the power of accepting or rejecting the money bill. It may make recommendations to be adopted by the Lok Sabha within 14 days time. Its recommendations may or may not be accepted by the Lok Sabha. If the money bill did not return to the Lok Sabha from the Rajya Sabha, it shall be deemed to be passed by both Houses and sent to the President for assent.

## **7. Distinguish Between Money Bills And Ordinary Bills:**

Ans: Money Bills and Ordinary Bills differ in their origin, nature and passage.

1. Money bills relate to the financial matters of the Govt. Ordinary bills Donate matters other than financial nature.
2. Money bills shall be recommended by the President before their introduction in the parliament. No such prior recommendation is required in the case of ordinary bills.
3. Money bills shall introduced in Lower House of the Parliament only. Ordinary bills may be introduced in either of the houses.
4. The president shall give his assent on money bills sent by the parliament without raising any objection. The President may or may not Give his assent to ordinary bills after obtaining the approval of the Parliament. He may refer these bills for reconsideration.
5. Rajya Sabha shall approve all money bills with in 14 days after Their receipt. There is no such condition in the case of ordinary bills.
6. The Speaker of the Lok Sabha has the final power to decide whether A bill is a money bill or not. This question does not arise in the case of ordinary bills.

## **8. Public Accounts Committee**

Ans. Public Accounts Committee consists of 22 members. Of them 15 members belong to the Rajya Sabha. They are elected accordingly to the proportional representative system. The leader of the opposition in the Lok Sabha will act as the Chairman of this Committee. The members of this committee continue in office for one year. The Committee examines the reports of the Comptroller and Auditor General. It brings the extravagance, irregularities and loss in public expenditure to the notice of the parliament. It can call for any Officer or any information necessary for its functioning. It examines whether public monies are disbursed legally.

### III. Very Short Questions and Answers

2 Marks

**1. Explain the components of Indian Parliament?**

Ans. Indian Parliament consists of Two Houses namely Lok Sabha and Rajya Sabha. The President is an integral part of the Parliament. The Speaker presides over the meetings of Lok Sabha and Vice President of India acts as the Ex-Officio Chairman of the Rajya Sabha.

**2. What are the qualifications for contesting the Membership of the Raj Sabha?**

Ans. A person who wishes to contest as a member of Rajya Sabha must have the following qualifications. There are 1) He shall be an Indian citizen. 2) He shall have completed 30 years of age. 3. He shall not hold any office of profit either in Central or State Govt. 4. He shall be healthy. 5. He shall not be an insolvent petitioner. 6. He shall possess such other qualifications prescribed by the parliament from time to time.

**3. Mention the Quorum of the Lok Sabha.**

Ans. Quorum implies minimum attendance of members required for conducting the meetings of the Lok Sabha and Rajya Sabha. Quorum of the Lok Sabha is fixed at 1/10<sup>th</sup> of the total membership. The Speaker determines whether there is quorum on a particular day for conducting the meetings.

**4. Write a note on the composition of the Lok Sabha.**

Ans. Lok Sabha is the Lower House or popular Chamber in Indian Parliament. At present, there are 545 members in the Lok Sabha. Of the total members, 530 members represent the States and remaining members hail from Union Territories. If the President feels that there are no elected members of Anglo-Indian Community in the Lok Sabha, he nominates two Anglo-Indian members.

**5. What are the residuary powers of Legislation?**

Ans. The powers which are not included in any of three lists (Union, State and concurrent lists) are known as the residuary powers. The Union Parliament is empowered to make laws on these powers.

**6. Explain estimates committee:**

Ans. The estimates Committee suggests fiscal reforms in organization, efficiency or administrative reforms consistent with the Policy underlying the estimates. It also suggests alternative methods for securing efficiency and economy in the administration.

**7. How is the Speaker of Lok Sabha elected?**

Ans. The Speaker of the Lok Sabha is elected by the members of the Lok Sabha. He usually gets elected unanimously on the basis of consensus between the party in power and opposition parties in the house.

**8. List out any two differences between public and private bills?**

- Ans. 1. Public bills are necessary for carrying the affairs of the Union Govt. Whereas private bills are moved by members other than ministers.
2. Public bills carry the support of majority members in the house, whereas majority members may not support the private bills in the house.

**9. What is a money bill?**

- Ans. Money bills are those which are related to the conduct of the finance affairs of the Union Govt. These bills have to be introduced only in the Lower House of the Parliament with the prior permission of the President of India.

**10. Member any two deliberative functions of Indian Parliament?**

- Ans. Indian Parliament serves as the apex forum of deliberations and public opinion. It discusses at length the contemporary National and International issues. Matters concerning redressal of public grievances, steps taken by the Union Govt. in addressing the current problems, the working pattern of political and administrative heads etc.

**11. How is the Rajya Sabha composed of?**

- Ans. The Rajya Sabha consists of 250 members representing states and union Territories. Out of them 12 members are nominated by the President. There will be a Chairman and Deputy Chairman in the Rajya Sabha. The tenure of office of the members of Rajya Sabha is six years.

**12. What are the functions of the business Advisory Committee?**

- Ans. Business Advisory Committee consists of 15 members with the Speaker as its Chairman. It plans and regulates the business of the house and renders advice regarding the allocation of time for discussion of different matters. It also decides when the sessions of the Parliament should be called.

**IV. One Word Questions and Answers (In Text Questions)**

1. What can be the maximum strength of Rajya Sabha?  
Ans. 250
2. How many members the President nominates in Rajya Sabha?  
Ans. 12
3. Who can vote to elect the members of Rajya Sabha?  
Ans. Members of State Assemblies.
4. What is the tenure of a member of Rajya Sabha?  
Ans. 6 years - 1/3 retire every two years.
5. What is the minimum age for becoming a member of Rajya Sabha.  
Ans. 30 years.



6. Who is the ex-officio chairman of Rajya Sabha ?  
Ans. The Vice-President of India.
  7. What is the maximum permissible membership of Lok Sabha?  
Ans. 550.
  8. Which State sends the maximum number of members to Lok Sabha?  
Ans. Uttar Pradesh.
  9. How many Anglo-Indian members may be nominated by the President.  
Ans. Two.
  10. For which section of the Society seats are reserved in the Lok Sabha.  
Ans. Scheduled caste and Scheduled Tribes.
  11. Who can vote in Lok Sabha elections?  
Ans. All the Indian citizens of 18 years of age and above.
  12. Who can dissolve the Lok Sabha ?  
Ans. President of India.
  13. Who elects the Speaker of Lok Sabha?  
Ans. Members of Lok Sabha.
  14. What is the name of the list on which only the Parliament can make laws?  
Ans. Union List.
  15. Who makes laws on the subjects mentioned in the State list?  
Ans. State Legislature.
  16. Who can admit a new state in the Indian Union ?  
Ans. The Parliament.
  18. What is a Government Bill?  
Ans. A bill moved by a minister in the Government is a Govt. bill.
  19. What is a private bill by Member of Parliament but not a minister is called private members bills.  
Ans. A bill moved by member of parliament but not a minister, is called private members bill.
  20. When are the private members Bills discussed?  
Ans. Private Members bills are discussed only on Fridays.
  21. Which bill cannot be introduced in Rajya Sabha?  
Ans. Money bills cannot be introduced in Rajya Sabha.
  22. When is the joint sitting of the two houses of Parliament held?  
Ans. Joint sitting of the two houses is held to remove the deadlock between the two houses over a non-money bill.
  23. What constitutes quorum in either house of Parliament?  
Ans. One-tenth of the strength of a house.
- Fill in the blanks:**
24. Budget can only be introduced in the Lok Sabha.
  25. Only Rajya Sabha can create a new All India Service.
  26. Each Member of Parliament gets a sum of Rs.2 Crores as local Development fund every year.

# Supreme Court of India

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## Introduction

The Supreme Court is the height Court of India. It is at the apex of the Indian Judicial system. In the previous two lessons, you have learnt that the Union Legislature, which is known as Parliament, makes laws for the whole country in respect of the Union and concurrent lists and the Executive comprising the President, council of ministers and bureaucracy enforces them, Judiciary, the third organ of the government, has an equally important to play. It settles the disputes, interprets Laws, Protects fundamental rights and acts as guardian of the constitution. In this lesson, you will learn that India has a single verified and integrated judicial system and that the Supreme Court is the highest court in India.

## Objectives

After studying the lesson, you will be able to:

- Recognize that India has a single integrated and verified judicial system.
- Describe the composition and organization of the Supreme Court of India.
- Explain the powers and jurisdiction of the Supreme Court of India.
- Appreciate the role of the Supreme Court of India as guardian of the Constitution and protector of Fundamental Rights.
- Recall that public interest litigation plays an important role in the Protection of our rights.

## I. Essay Questions and Answers

**8 Marks**

### 1. Explain the original and appellate jurisdiction of the Supreme Court.

Ans. The scope of powers of Supreme Court to bear and decide cases is called its jurisdiction. The Supreme Court has three types of jurisdictions namely original, appellate and advisory. Let us now examine the jurisdiction.

1. **Original jurisdiction:** There are certain cases which fall within the exclusive jurisdiction of the Supreme Court. It means that all such cases begin or originate in the Supreme Court only. It also means that such cases cannot be mentioned in any other Court. The cases that come under the original jurisdiction. They are (1) dispute between the Govt. of India and one or more states (2) Between the Govt. of India and any state or States on one side and one or more state on the other. (3) Between two or more states. The Supreme Court also acts as the guardian of the constitution. It protects the fundamental rights guaranteed to the citizens.
2. **Appellate jurisdiction:** The Supreme Court is the highest Court of appeal in India. All appeals from all Courts can be heard by the Supreme Court. The appellate jurisdiction may be studied under 3 heads. Those are (a) constitutional appeals (b) civil appeals (c) criminal appeals and appeal by special leave petitions.
  1. **Constitutional appeals:** A constitutional case is neither a Civil dispute, nor concerning a crime. It is a case arising out of different interpretations of constitution, mainly regarding the fundamental rights. In such constitutional cases an appeal can be taken to the Supreme Court only if a High Court certifies that the matter in dispute involves a substantial question of Law.
  2. **Civil Appeals:** Disputes relating to property, marriage, money contract and service etc. are called civil cases. If a Civil case involves a substantial point of law of public importance needing interpretation of the constitution of Law, an appeal against the High Court decision can be made to Supreme Court. Earlier the Financial Limit of such civil cases was Rs.20,000/- but now according to the 30th amendment of 1972, there is no minimum amount for taking a Civil appeal to the Supreme Court. If substantial question of interpretation of Law or constitution is involved, appeal may be made against the decision of the High Court.
  3. **Appeals In Criminal Cases:** Criminal cases also may be appealed to the Supreme Court on three grounds. Those are: (a) an appeal against an order of acquittal of an accused person and sentenced him to death or (b) if the High Court withdraws a case from a subordinate Court and tries the accused person and sentences him to death (c) if the High Court certifies that the criminal case is a fit one for appeal to the Supreme Court.
  4. **Appeal By Special Leave:** According to Article 136 of the constitution the Supreme Court has wide and discretionary powers in matters of granting Special leave to appeal from any judgment, decree, determination, sentence or order in any case or matter passed by any Court or Tribunal in India.
3. **Advisory Jurisdiction:** The Supreme Court has also advisory jurisdiction. The President of India can obtain its advice on a question of Law or fact which is of public importance. The Supreme Court may or may not report its opinion to the President.
4. **Court Of Record:** The Supreme Court is a Court of record. Its acts and judicial proceedings can not be challenged or questioned when presented before any court as evidence.

5. **Judicial Review:** The term Judicial Review is not used anywhere in the text of the constitution. However, by implication of Supreme Court exercises this power while interpreting the constitution. Judicial review means the power of the Courts to declare whether a Law is constitutional or unconstitutional.

## II. Short Questions and Answers

4 Marks

### 1. Describe the composition of the Supreme Court ?

Ans. The inaugural session of the Supreme Court was held on January 28, 1950 at the Chamber of Princes in the Parliament building. Harilal K. Kania acted as the last chief Justice of the Federal Court and first Chief Justice of the Supreme Court.

Constitution of India provides a single verified integrated judicial system. A single judiciary represents of hierarchy of Courts. The Supreme Court stands at the top of this single integrated judicial system with High Court at the State level. Below the High Courts, there are several subordinate Courts such as the District Courts. The Supreme Court is the highest judicial authority of India. The Supreme Court at the commencement of the constitution consisted of seven judges and chief Justice. At present there are 30 Judges and Chief Justice. The Chief Justice and other Judges are appointed by the President. While appointing the Chief-Justice the President is constitutionally required to consult such other judges of Supreme Court as he deems proper, but on going Chief Justice is always consulted. Normally, the Senior most Judge of the Supreme Court is appointed as the Chief Justice of India while appointing other Judges, the President is bound to consult the Chief Justice and other senior Judges, if he deems proper.

Whenever there is a vacancy or likely vacancy in the Supreme Court, the Chief Justice and four other senior most Judges consider various names recommend the names of the persons to be appointed as Judges of the Supreme Court. The Power of selection of Judges has passed on to a group of Supreme Court Judges, called the collegium of the Court. The President now performs the formality of appointing the nominee of the Supreme Court, after the Law Ministry formally recommends these names to him.

### 2. How can a Judge of the Supreme Court be removed from Office.

Ans. A person is qualified for appointment as a Judge only, he is a citizen of India and fulfils the following conditions. He must have been a judge of a High Court or of two such courts in succession for a period of five years, or an advocate of a High Court for at least 10 years, or in, in the view of the President a distinguished Jurist of the country.

The Chief Justice of India and other Judges of the Supreme Court hold office till they attain the age of 65 years. A Judge may voluntarily resign before expiry of his term. In exceptional cases. The Supreme Court Judge may be removed before the age of retirement, according to the procedure laid down in the constitution. Thus a Judge of the Supreme Court can be removed from Office by any order of the President passed after an address by each house of the Parliament

supported by a majority of total membership of the House and not less than two third majority of the members of the House present and voting, passed in the same session, has been presented to the President for such removal on the ground of proved misbehavior or capacity. So far, proceedings for removal were initiated only one case against a judge of the Supreme Court, but he could not be removed the resolution could not be passed by the Parliament. It is clear that Supreme Court Judges enjoy security of tenure, and the Executive cannot arbitrarily remove there.

**3. Supreme Court is the guardian of India constitution and protector of Fundamental Rights“ - Explain.**

Ans. The Constitution of India is the supreme Laws of the Land and the Supreme Court is its interpreter and guardian. It does not allow the executive or the parliament to violate any provision of the constitution. It can also review any action of the Govt. which allegedly violates any provisions of the Fundamental Rights. If it finds violation of any provision of the constitution, it may declare the concerned law as *Vitra-vires*, or null and void. It is on the basis of this power of judicial review of the Supreme Court that it is called guardian of the constitution.

The Supreme Court has concurrent right with the High Courts to issue directions, orders and writs for enforcement of fundamental rights. These are in the nature of the writs of Habeas Corpus, Mandamus, Prohibition Certiorari and Quo Warrant to. These writs make the Supreme Court a protector and guarantor of fundamental rights. Thus the citizens of India are secure as far as fundamental rights are concerned.

**4. Explain the importance of PIL in our day to day life ?**

Ans. The concept of Public interest litigation rests on the principle that any member of public can initiate legal proceedings on behalf of an aggrieved person, especially a poor person. Such proceedings can be initiated the judiciary, including the Supreme Court for the enforcement of the constitutional or legal rights of a person. The judiciary including Supreme Court entertained litigation only from those parties that were affected directly or indirectly by it. If heard and decide cases only under its original and appellate jurisdiction. But subsequently, the Court permitted cases on the ground of public interest litigation. It means that even people, who are not directly involved in the case, may bring to the notice of the Court matters of public interest. The concept of PIL was introduced by Justice P.N. Bhagwati.

PIL is important because Justice is now easily available to the poor and the weaker sections of Society. The Supreme Court on the basis of letters, received from Journalists, Lawyers and Social Workers and even on the basis of news papers reports has taken up a number of matters of public interest. Under PIL the Supreme Court has taken up steps to Free bonded laborers, tribal, Slum dwellers, women in rescue houses, children in juvenile homes, Child labour etc. In case of environmental pollution, the Supreme Court has ordered closure of a few factories near Kanpur, Delhi and other places. The process of PIL has led to increased judicial activism.

### III. Very Short Questions and Answers

2 Marks

**1. What is the qualification of the Judges of the Supreme Court?**

Ans. A person to be appointed as a Judge of the Supreme Court shall possess the following qualifications besides Indian citizenship. He shall have continuously worked as a Judge in one or more High Courts For a period of five years , or  
He shall have worked as an advocate of one or more High Court for at least 10 years, or He shall have been a distinguished Jurist. In the opinion of the President.

**2. Write a note on the composition of the Supreme Court?**

Ans. The Supreme Court at the commencement of the constitution consisted of seven judges and a chief Justice. H.J. Kania acted as the first Chief Justice of the Supreme Court. At present there are 30 Judges and one Chief Justice in the Supreme Court and it is situated at New Delhi.

**3. What are the grounds on which the judges of the Supreme Court are removed from Office?**

Ans. A Judge of Supreme Court will be removed from his office by the President on the following grounds .Those are a) Misbehavior proved (b) in capacity of discharging duties.

**4. What about the power of judicial review of the Supreme Court of India ?**

Ans. Judicial Review is an extraordinary power of the Supreme Court of India. It means, the Supreme Court has the power to declare any Law made by the Parliament against the spirit of constitution as unconstitutional and invalid.

**5. Identify the functions of the Supreme Court as a Court of Record.?**

Ans. Supreme Court acts as a Court of Records. It records all its judgments delivered in different cases. These Judgments cannot be questioned by any Court when they are reproduced before that Court as an evidentiary value.

**6. What is the present procedure adopted in appointing Judges of the Supreme Court ?**

Ans. As per the present procedure, the Chief justice takes the initiative of recommending the name of a person considered suitable to him to the Union Minister for Law and Justice for filling up a vacancy in the Supreme Court, if the Minister complies with the recommendation, he forwards the proposal of the cabinet on the proposal, the Prime Minister advises the President to issue a formal warrant of appointment.

### IV. One Word Questions and Answers (In Text Questions)

1. The Judges of the Supreme Court are appointed by the.....(**President/Prime Minister/Law Minister**)
2. The Supreme Court of India consists of the Chief Justice and ..... other Judges( **23/25/27/30**)

3. The Judges of Supreme Court retire at the age of...(60/62/**65**/70)
4. a person who is a distinguished \_\_\_\_\_ in the opinion of the president may be appointed as a judge of the supreme court.( Educationist / **Jurist**/Politician )
5. The dispute between two or more states is brought before the supreme court under its \_\_\_\_\_ jurisdiction. ( **original** / appellate / advisory )??
6. The supreme court is \_\_\_\_\_ to give advice to the president of India. (bound / **not bound**)
7. The ultimate power of interpreting the constitution of India lies with the ——(**supreme court** / high court / sessions court )
8. What a Judicial review?

Ans : Power of the supreme court to? determine constitutional validity of a law .

9. What does PIL mean ?

Ans: Public Interest Litigation - hearing of matters of public interest .

10. What power of the supreme court ensures Protection of Fundamental Rights of people ?

Ans : Judicial Review .



## Executive In The States

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### Introduction

We have already studied that India is a Union of 28 states and 7 Union Territories and that the Founding Fathers of the Indian Constitution adopted a federal system. The Executive under a system is made up of two levels:

Union and State.

At the State Level, generally following the Central pattern, the Governor, like the President, acts as a nominal head and the real powers are exercised by the Council of Ministers headed by the Chief Minister. The Members of the council of Ministers at the State Level are also collectively and individually responsible to the Lower House of the State Legislature for their acts of omission as well as commission.

### Objectives

After studying this lesson, you will be able to:

- Recall the methods of appointment of the Governor.
- Explain the qualifications, tenure and privileges of the Governor.
- Describe the powers of the Governor including his discretionary powers.
- Assess the role and position of the Governor.
- Recall the election/appointment of the Chief Minister.
- Describe the appointment of the Council of Ministers and how it is formed.
- Explain the powers and functions of the Chief Minister and the Council of Ministers.
- Analyses the relation between the Governor and the Council of Ministers at the State level.

## I. Essay Questions and Answers

8 Marks

### 1. What powers are exercised by the Governor?

Ans. The Governor is the nominal executive head of the State. All the executive authority of the state is vested in him and is exercised by him either directly or through officers sub-ordinate to him. The Governor is appointed by the President and holds Office during his pleasure. As a matter of convention, the President sounds the Chief Minister of the concerned State while appointing the Governor. The Governor is appointed for a term of five years.

**Powers Of The Governor:** The constitution vests quite extensive powers in the Governor, through he is expected to exercise his powers on the advice of the council of Ministers. He enjoys the following powers.

1. **Executive Powers:** The Governor is the executive head of the state and all executive actions of the State are taken in his name. He also appoints all important Officials of the State including the chief Minister, Ministers, Advocate General, Chairman and members of the State public Service commission and so forth. The Governor also reserves the right to recommend to the President that the Govt. of the State is not being carried on in accordance with the provisions of the constitution and Presidential rule be imposed in the State. When the State is placed under Presidential rule, the Governor acts as the representative of the President in the State and assumes extensive powers.

2. **Legislative Powers:** The Governor is an inseparable part of the State Legislature and as such he possesses certain legislative powers. .

1. The Governor has the right to summon and prorogue either of the State legislatures and dissolve the state legislative assembly.
2. He address the first session of the State Legislature after the general elections.
3. He send messages to the state legislature on bills pending before it.
4. He appoints one-sixth members of the Legislative Council.
5. He nominates one member of the Anglo-Indian community to the Legislative assembly if it does not get representation otherwise.
6. He give assent to the bill passed by the State legislature.
7. He reserve certain types of bills passed by the legislature for the assent of the President.
8. He make Laws through ordinances during the recess of the State Legislature.

3. **Financial Powers:**

1. No money bill can be introduced in the state Legislative Assembly without the prior permission of the Governor.

2. 'The annual and supplementary budgets are introduced in the Assembly in the name of the Governor.
3. The Governor has the control over the State contingency Fund.
4. **Judicial Powers:** The Governor is consulted by the President while appointing the Chief Justice and Judges of the State High Court. He appoints Judges of Courts below the High Court. He can grant pardon, reprieve, respite or remission of punishments to persons convicted of an offence against state laws.
5. **Other Powers:**
  1. He receives the report of the State Auditor General pertaining to the accounts of the State and places it before the State legislature.
  2. He places the report of the State public Service Commission along. With the observations of the Council of Ministers before the State Legislature.
  3. As a Chancellor of various Universities within the jurisdiction of the State, he appoints Vice Chancellors of these Universities.

## II. Short Questions and Answers

**4 Marks**

### 1. How is Governor appointed?

Ans: The Governor of a State is appointed by the President of India and holds Office during this pleasure. In order to become a Governor a person must have following qualifications.

1. He must be a citizen of India
2. He should be at least 35 years.
3. He cannot hold any office of profit during his tenure.
4. Should not be a member of either House of ;Parliament or the State Legislature.
5. Must posses the qualifications prescribed for membership of the State Legislature.

**Why An Appointed Governor:** The question is often raised as to why the constituent Assembly of India preferred an appointed Governor over an elected Governor. In the main, four considerations were taken into account for this decision.

1. Election would have been an expansive proposition.
2. Election would have been fought on personal issues.
3. An election Governor would have considered himself superior to the Chief Minister. This would have given rise to mutual bickering.
4. An appointed Governor could more effectively check separatist tendencies and provides stability.

The Governor is appointed for a term of five years but normally holds office during the pleasure of the President. He may resign before the expiry of the term. As a matter of fact while appointing or removing the Governor the President goes by the advice of the Prime Minister. His emoluments, allowances and privileges are specified by the Law. However, the emoluments, allowances of the Governor cannot be reduced during his tenure.

## **2. Does the Governor have any discretionary powers? Mention his discretionary powers?**

Ans. The constitution does not Specify the discretionary powers of the Governor. There are few more powers which he possess as the representative of the Central or Union Govt. These Powers are called discretionary powers. It is under special circumstances that the Governor may act without the advice of the Council of Ministers. They are

1. He can appoint any member as Chief minister if no political party has a Clear cut majority in the assembly, or if the majority party has no acknowledged leader.
2. He can seek information from the Chief Minister on legislative and Administrative matters.
3. He can refuse to sign an ordinary bills passed by the State legislature.
4. He can dismiss a ministry if he is convinced that it has lost majority support.
5. He can reserve a bill passed by the State Legislature for the assent of the President.
6. He can recommend to the President the failure of neither constitution nor machinery in the State.
7. He can dissolve the legislative assembly if the Chief Minister advises him to do so following a vote of no confidence. It is for the Governor to decide whether a particular matter falls within his discretion or not.

## **3. What is the position and roll of the Governor?**

Ans. The Governor has been accorded a constitutional status like the President of India. Governor has to act according to the advice of the council of Ministers The Ordinarily as to act as a constitutional or ceremonial head. However, under extraordinary situations, the Governor gets an opportunity to exercise; his authority according to his discretion. Since 1967 General Elections, when several States opted for samyukta Vidhayak Dal (SVD) Govts. Due to discretionary powers, the Office of the Governor has become quite controversial. The Governor have acted according to their whims and on certain occasions have tried to place the ruling party at the national Govt. level. According to the constitutional experts the Governor's role in three respects ie. Recommending to the President for a proclamation of emergency, appointing a Chief Minister in case of intra-party defections, has become very controversial. The deterioration in the political standards and practices that has come about in the wake of multy-party ministers in many of the states Party revelries, political defections and fragmentation of the Political parties has been at the root of these controversies. Suggestions and recommendations of the administrative reforms commission as well as of Sarkaria Commission have remained only on paper, in spite of the fact that these recommendations would help in minimizing partiality on the part of the functioning of the Governors.

#### **4. How is the Council of Ministers formed in a State?**

Ans. The Council of Minister which has been provided by the constitution to aid and assist the Governor in the discharge of his duties, consists of the Chief Ministers and other ministers. While the Chief Minister is appointed by the Governor, on the advice of the Chief Minister. The council holds office during the pleasure of the Governor. Actually, however, it stays in office as long as it enjoys the confidence of the majority of the State Legislature. The council of ministers works on the principle of collective responsibility and a vote of no confidence against any minister automatically leads to the resignation of the entire council.

The ministers included in the council of ministers must belong to either house of the State legislature. A person who is not a member of the State Legislature may be appointed a minister, but he ceases to hold office if he is not elected to the State Legislature within six months of his appointment. The portfolios to the members of council of ministers are allocated by the Governor on the advice of the Chief Minister.

#### **5. Describe the Functions of the Chief Minister?**

Ans. Chief Minister is the head of the council of ministers of his state. The constitutional position of the Chief Minister is more or less similar to that of the Prime Minister. The Chief Minister plays an important role in the administration of the State. We can discuss his functions as follows:

1. Chief Minister is the real head of the State Government. Ministers are appointed by the Governor on the advice of the Chief Minister.
2. Chief Minister presides over the cabinet meetings. He coordinates the functioning of different ministers. He guides the cabinet.
3. Chief Minister plays a key role in forming the Laws and policies of the State Government. Bills are introduced by the Ministers in the legislature with his approval. He is the Chief spokesman of the policies of his Govt. both inside and outside of the state legislature.
4. The Constitution provides that the Chief Minister shall communicate to the Governor all decisions of the council of Ministers relating to the administration and affairs of the State and proposals for legislation.
5. The Chief Minister furnishes such information relating to administration of the affairs of the State and proposals for Legislature as the Governor may call for.
6. If the Governor so requires, the Chief Minister submits for consideration of the Council of ministers any matter on which a decision has been taken by a minister but which has not been considered by the cabinet.
7. The Chief Minister is the sole link of communication between the cabinet and the Governor. The Governor has the right to be informed by the Chief Minister about the decisions taken by the Council of Ministers.

The above functions show that the real authority is vested with the council of ministers headed by the Chief Minister.

### **6. Explain the relationship of the Governor with the Chief Minister?**

**Ans:** The Governor is the constitutional head of the State. All the executive actions in the State are taken in his name. The Governor appoints the Chief Minister and on the advice of the Chief Minister he appoints other ministers. The Governor is responsible for smooth running of the state administration. If he finds that the constitutional machinery of the State has broken down, he may recommend to the Union Govt. to proclaim emergency in the State. The Governor in his report can advise the President to impose President's rule in the State. If the President is satisfied, he will declare emergency under Article 356, popularly known as President's rule in the State. After proclamation, the State comes under the control of the centre and the Governor acts as the Centre's Agent. The council of Ministers is dismissed and Assembly is dissolved or suspended.

When the Chief Minister enjoys the confidence of the majority in the State Legislature, then the Governor's capacity to exercise his discretionary powers is reduced. In such situation the Chief Minister is the real head of the State Administration and the Governor is the constitutional head of the State. The relations between the Governor and the Chief Minister are influenced by the political and constitutional conditions in the State. In normal conditions the Governor is the constitutional head of the State but during the President's rule he becomes the agent of the centre and assumes control of the State Administration.

### **III. Very Short Questions and Answers**

**2 Marks**

1. Qualifications for becoming the Governor.

**Ans.** The qualifications required to be appointed as the Governor are:

1. He shall be a citizen of India.
2. He shall have completed 35 years of age.
3. He shall not be the member of either house of the Parliament Or the State Legislature.
4. He shall not hold any office of profit in either central or State Govt.

**2. Discretionary powers of the Governor.**

**Ans.** 1. Selection of the Chief Minister.

2. Dismissal of the Ministry.
3. Seeking information on the legislative and administrative matters from the Chief Minister.
4. Dissolution of the Legislative assembly.

**3. Write about the composition of the State Council of Ministers.**

**Ans.** The council of Ministers of the State includes 1) The Chief Minister.

2. Ministers of Cabinet rank.
3. Ministers State rank and some times Deputy Ministers. All the Ministers including the Chief Minister are appointed by the Governor.

#### **4. Any two legislative powers of the Governor.**

Ans. The Governor is an integral part of the State legislature.

1. He convenes and prorogues the two houses of the State legislature .

He dissolves the Lower house of the State Legislature.

2. He addresses the State Legislature in person or through his messages.

**5. STATE EXECUTIVE:** The constituents of the State Executive are the Governor , the chief Minister and members of the State Council of Ministers besides the administrative personnel who assist the Ministers in the functioning of the State Government.

**6. THE CHIEF MINISTER:** The Chief Minister plays a prominent role and occupies a key position in the State Govt. He acts as the head of the (a) State council of Ministers (b) Party in power (c) Leader of the assembly (d) People . He will have a decisive influence on political arena of the State. He influences the public opinion in the State.

#### **7. What is the tenure of the Governor?**

Ans. The tenure of the Governor is five years. He assumes the Office by swearing in the presence of the Chief Justices of the High Court. He may ;submit his resignation to the President of India if he desires so, before the expiry of the tenure. It may be noted that the Governor continues in office during the pleasure of the President of India.

#### **8. What are the legal immunities of the Governor?**

Ans. The Governor of a ;State enjoys certain legal immunium in the discharge of his functions as the head of the State. He is not held responsible for his duties for any act done or purporting to have been done by him. Similarly, no civil or criminal proceedings shall initiated against him during his term of office. Besides, no writ for the arrest or imprisonment of the Governor can be issued by any Court during his term of office.

#### **9. What is the relationship between Chief Minister and the Council of Ministers of a State ?**

Ans. The Chief Minister is the Chairman of a Council of Ministers. He presides over the meetings of the Cabinet and leads the debate and discussions in the Cabinet. Normally his views always are carried out or at least influence the decisions.

#### **10. Explain the nature of Chief Minister's relations with the people of the State.**

Ans. The Chief Minister acts as the prominent leader of the people in the State. He maintains rapport with the people by making frequent visits to different places in the State. He consoles the people affects by the nature calamities. He draws the attention of the people towards the developmental programmes taken up by the Government.



#### IV. One Word Questions and Answers (In Text Questions)

1. Who appoints the Governor of the State?  
(1) **The President** (2) The Vice President  
(3) The Prime Minister (4) The Chief Minister.
2. The Governor is appointed for a term of :  
(1) Four years (2) **Five years** (3) Six years (4) Seven years.
3. The Chief Minister, along with the State Council of Ministers, is collectively responsible.  
(1) **The Legislative Assembly** (2) The Legislative Council  
(3) The Governor of the State (4) The President of India.
4. An ordinance, in the state, is issued by:  
(1) **The Governor** (2) The State Home Minister  
(3) The Chief Minister (4) The President of India.
5. The Governor can dissolve the State Legislative Assembly on the recommendation of:  
(1) Home Minister of the State  
(2) Chief Justice of the High Court  
(3) **council of Ministers headed by Chief Minister** The Council  
(4) Advocate General of the State.

##### 6.1. Answer the following questions:

- a) How is the Chief Minister appointed?

Ans) By the Governor, he appoints leader of the majority party or combination of parties in the Legislative Assembly.

- b) Who selects the Ministers for appointment in the State.

Ans) The Chief Minister.

2. Select the appropriate words from the brackets and fill the blanks:

- a. The Governor appoints the ministers on the advice of the .....  
(Prime Minister /**Chief Minister**/Vice President)
- b. The State Cabinet meetings are presided over by the.....  
(Governor /Speaker /**Chief Minister**)
- c. The Council of Ministers is responsible to the.....  
(Governor/Chief Minister/**Legislative Assembly**)
- d. The Chief Minister is.....  
The nominal head of the State.  
The real head of the State.  
The nominal head of the Government.  
**The real head of the Government.**

# The State Legislature

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## Introduction

India is a Union of States. It means that there one Union Government and several State Governments. It also means that Union is more powerful than states. At present there are 28 States in the Indian Union and each one of them has a legislature. You have already read about the Parliament of India which is the Law making body at the Union Level. The State Legislature is a Law making body at the State level. In this lesson we will read about the compulsion of State Legislature, qualifications and election of their members, powers and functions of the legislature, and comparison of the powers of two houses of the legislature.

## Objectives

After studying this lesson, you will be able to:

- Describe the composition of Vidhana Sabha and Vidhana Parishad.
- Recall qualifications of the Members of Legislature.
- Explain powers and functions of State Legislature.
- Examine relationship between both the Houses, and
- Highlight that Vidhana Sabha is more powerful than Vidhana Parishad.

## I. Essay Questions and Answers

**8 Marks**

### 1. Describe the powers and functions of the State Legislature ?

Ans) The State Legislature consists of the Governor and the Legislative Assembly. This means that these States have unicameral legislature. In few States there are two houses of legislature namely Legislative Assembly (Vidhana Sabha) and Legislative council (Vidhana Parishads) besides the Governor. Where there are two houses, the legislature is known as bicameral. The Legislative

Assembly is known as Lower House of popular house. The legislative council is known as Upper houses. The legislative Assembly has been made a powerful body in the States.

### **Powers And Functions Of State Legislature**

The State Legislative performs various functions. They are:

- 1. Legislative Functions:** The State Legislative is empowered to legislate on the items enumerated in the State List. There are 61 such items which call within the legislative competence of the State Legislature under normal circumstances. Also, the legislature can legislate on the items included in the concurrent list, subject to over ruling by the Union Parliament under circumstances.

Bills are two types. Ordinary bills and money bills. Ordinary bills can be introduced in either of the houses, but money bills are first introduced in the Vidhana Sabha. After the bill is passed by both houses, it is sent to the Governor for his assent. The Governor can issue an ordinance on the State subjects when legislature is not in session. The Ordinances have the force of Law. The legislature passes a regular bill, to become a Law to replace the ordinance. This is usually done within six weeks after reassembly of Legislature.

- 2. Financial Powers:** Like the parliament of India, the State Legislature too enjoys almost similar powers in the financial sphere. Money bills originate only in the legislative assembly. The State Legislature possesses the power to raise finances with regard to all those items which have been entrusted to the State Govt. The legislative Council has definitely lesser role to play in financial legislation of the State. At best, the legislative council could delay the money bills for a maximum period of 14 days. The State budget or the annual financial statement is adopted by the legislature.
- 3. Control Over The Executive:** Like the Union Legislature, the State Legislature keeps control over the executive. The council of Ministers is responsible to Vidhana Sabha Collectively and remains in the office so long as it enjoys the confidence of the Vidhana Sabha. The council is removed if the Vidhana Sabha adopts a vote of no confidence motion; the legislature keeps checks on the Govt. by asking questions and supplementary questions, moving adjournment motions and calling attention notices.
- 4. Electoral Functions:** The elected members of the State legislative Assembly participate in the election of the President of India, the election of some of the members of legislative council, the members elect the Speaker and Deputy Speaker in the case of Legislative Assembly. The members of the legislative council elect the Chairman and Deputy Chairman from among them. They conduct the proceedings of the respective houses.
- 5. Constitutional Functions:** An amendment requires special majority of each house of the Parliament and ratification by not less than half of the states relating to the Federal subjects. The resolution for the rectification is passed by State Legislature with simple majority. However, a constitutional amendment cannot be initiated in the State Legislature.

## II. Short Questions and Answers

4 Marks

### 1. Describe the composition of Vidhana Sabha (Assembly)?

Ans. Every state has a Legislative Assembly. It represents the people of State. The Members of Vidhana Sabha are directly elected by the people on the basis of Universal adult franchise. Every citizens who have attained 18 years of age has the right to vote. The members of the legislative assembly is fixed by the Parliament. It should to be more than 500 and not less than 60. But small states have been allowed to have lesser number of members. Thus Goa and Mizoram have only 40 members, Sikkim has 32 members. Every State is divided into as many constituencies as the number of members to be elected. Certain number of seats are reserved for schedule caste and schedule Tribes also. This depends on population of these weaker sections in the State.

In order to become a member of Vidhana Sabha a person must 1. be a citizen of India. 2. have attained the age of 25 years 3. His name must be in voters list. 4. Must not hold any profit of Office.

The Governor of the State has the power to nominate one member of Anglo Indian community. If this is not adequate representation in the house. The tenure of Vidhana Sabha is five years, but Governor can dissolve it before the completion of its term on the advice of the Chief Minister. It may be dissolved by the President in case of constitutional emergency proclaimed under Article 356 of the constitution. The members of Vidhana Sabha elect their Presiding Officer is known as the Speaker. He maintains order in the House and ask questions and speak.

### 2. Describe the composition of Vidhana Parishad (Legislative council)?

Ans. Vidhana Parishad in the upper houses of the State Legislature. It is not in existence in every state.. Very few states have bicameral legislature that means having two houses.

According to the constitution, the total number of members in the Vidhana Parishad of a State should not exceed One- Third of the total number of members of Vidhana Sabha but this number should not be less than 40. The Jammu & Kashmir is an exception where Vidhana Parishad has 36 members.

In order to be a member of the legislature council person concerned should 1) be a citizen of India (2) have attained the age of 30 years. 3. Be a registered voter in the State 4. Not hold any office of profit.

The Vidhana Parishad is purely elected and partly nominated. Most of the members are indirectly elected in accordance with the principle of proportional representation by means of single transferable vote system. Different categories of members represent different interests. The composition of the legislative council is as follows:

1. One-third members of the Council are elected by the members of the Vidhana Sabha.
2. One-third members of the Vidhana Parishad are elected by the electorates

3. Consisting of members of Municipalities, District Boards and other local Bodies in the State.
4. One –twelfth members are elected by the electorate consisting of teachers Of Educational institutions within the State. One twelfth members are elected by the electorate consisting of a graduates In the State.
5. The remaining ie. About one-Sixth members are nominated by the Governor, Persons having special knowledge in the sphere of literature, Science, arts, Cooperative movements and Social Service.

The Vidhana Perished like Rajya Sabha is permanent House. It is never dissolved. The tenure of its members in six years. One third of its members retire after every two years.

The Presiding Officer of the Vidhana Perished is known as the Chairman who is elected by its members.

### **3. Mention the Limitation of the Powers of the State Legislature?**

Ans. The Powers of Law-making by the Legislature are limited in the following manner.

- (1) The State Legislature can make a law on the subjects listed in the State list and also concurrent list. But in case, the State Law on a subject in the concurrent list is in conflict with the Union Law, the Law made by the Parliament shall prevail.
- (2) The Governor of the State may reserve his assent to a bill passed by the Legislature and send it for the consideration of the President.
- (3) The Parliament has the complete control on the entire State list at the time  
When the National Emergency has been declared (Article 352) although the State Legislature remains in existence and continues to perform its functions.
- (4) In case of breakdown of constitutional machinery (Art. 356) After fall of popular Govt. in the State, the Presidents rule imposed. The parliament then acquires the power to make laws for that State, for the period of Constitutional emergency.
- (5) The Parliament can also make Laws on a subject of the State list, the Rajya Sabha adopts a resolution by two-third majority to this effect, On its own or at the request of two or more states, the Parliament can enact Laws on a specified subject of the State list.

## **III. Very Short Questions and Answers**

**2 Marks**

### **1. State Legislative Assembly.**

Ans. State Legislative Assembly or Vidhana Sabha “ in the first house in State Legislature. It consists of members directly elected by the registered voters of different constituencies in the State. The Governor nominates an Anglo-Indian member to the Legislative Assembly when no candidate of that community is elected in the house.

**2. What are the qualifications required to contest the membership of the State Legislature?**

Ans. 1. He shall be the citizen of Indian.

He shall complete 25 years of age.

He shall not hold any office of property in Central or State Government.

**3 LEGISLATIVE COUNCIL:**

Ans. Legislative Council or Vidhana Parishad is the upper house or second chamber of the State legislature. Its membership varies between a minimum of 40 and maximums of one-third of the total membership of the Legislative Assembly. Parliament has authority to make legislation for creating or abolishing the legislative council on the request of the legislative Assembly concerned.

**4. What are the qualifications prescribed for the members of the Legislative council?**

Ans. A person contesting for the membership of the Legislative council must have the following qualifications.

He shall be a citizen of India.

He shall have completed 30 years of age.

He shall as possess such other qualifications laid down by an act of Parliament.

**5. Write any three Executive powers of the State Legislature ?**

Ans. The State Legislature exercise control over the State Council of Ministers headed by the Chief Minister. The legislatures, by raising questions and supplementary questions, alert the Executive for their proper functioning. Further, by moving adjournment, call attention and no-confidence motions against the Ministry, the legislators make the Executive responsible for its acts.

**6. SPEAKER**

Ans. The Speaker will be elected by the elected members of the State Legislative Assembly. The main responsibility of the Speaker is to conduct the business of the legislative Assembly in a smooth and fair manner. He may be removed from Office by a resolution of the House supported by a simple majority of the existing members of the house.

**IV. One Word Questions and Answers (In Text Questions)**

**Fill In The Blanks:**

1. The Union of India consists of.....States.(18/25/28)
2. The minimum age for being a member of Vidhana Sabha is.....years (21/25/30)
3. The Governor of a State may nominate one member of Vidhana Sabha belonging to.....(Scheduled Caste/Scheduled Tribe/Anglo-Indian Community)

4. The tenure of Vidhana Sabha is.....years. ( 4/5/6)
5. In case of tie in the house casting vote is exercised by the.....  
(Governor of the State/Chief Minister/**Presiding Officer of the Legislature**)
6. The minimum age for membership of Vidhan Parishad is.....Years. (25/30/35)
7. The tenure of members of the Vidhan Parishad is..... years. (4/5/6)
8. One third members of the Vidhan Parishad retire after every...years (2/4/6)
9. The.....is empowered to create or abolish the Vidhan Parishad.  
(President/Governor/**Parliament**).
10. The State of.....has bi-cameral legislature. (Punjab/Haryana/**Uttar Pradesh**)
11. State Legislature cannot make laws on the subjects listed in the.....list. (**Union**/State/Concurrent)
12. Money bill is introduced in the State Legislature on the recommendation of the.....  
(President/**Governor**/Chief Minister)
13. The Vidhan Parishad has to return the money bill within.....**days**(14/30/90)
14. The Council of Ministers remains in office so long as it enjoys the confidence Of the.....(Governor/**Vidhana Sabha**/Vidhana Parishad)

**B) Answer the following questions:**

15. Who certifies a bill to be a money bill in the State ?  
Ans) Speaker of the State Assembly.
16. Who has the power to issue an ordinance in the State.  
Ans) State Governor.
17. In whose election do the members of State Assembly vote ?  
Ans) The President, members of Rajya Sabha and 1/3 members of Legislative Council.



## High Courts and Subordinate Courts

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### Introduction

We have already read about the role of India's highest Court called the Supreme court. Just below the Supreme Court, there are High courts which are the highest courts Law in States. The High Courts are part of the Indian Judiciary, and function under the Supervision, guidance and control of the Supreme Court. As highest Court in the State, a High Court supervises the subordinate Courts in the State. The High courts are mainly Courts of appeal. Theses courts hear appeal from numerous subordinate Courts working at district level. The system of appointment of; Judges, their qualifications and the working of subordinate courts is under the direct control and supervision of High Court of the State concerned. In this lesson you will read about the State High Courts. You will also get an idea of subordinate Courts, including the District and Sessions Courts.

### Objectives

After studying this lesson, you will be able to:

- Describe the composition and organization of the High Courts.
- Explain the powers and jurisdiction of the High Courts.
- Appreciate the role of the High Courts as protector of Fundamental rights, and
- Explain the working of the subordinate or lower Courts.

### I. Essay Questions and Answers

**8 Marks**

#### 1. How are the subordinate Courts in District organized?

Ans: In each district of India there are various types of subordinate or Lower Courts. They are Civil Courts, Criminal Courts and Revenue Courts. These Courts here civil cases, criminal cases and revenue cases respectively.

### Subordinate or Lower Courts

Civil courts	criminal courts	Revenue courts
District judge or district and sessions judge	sessions judge or district sessions judge	board of revenue commissioner
sub judge family courts	metropolition or	Collector
Munsif	I st Megistrate	Tehsildar
Small causes courts	IIInd Mesgistrate	Naib Tehsildar
	IIIrd Megistrate	

The Judges of subordinate Courts are appointed by the Governor in consultation with the Chief Justice of the High Court of the concerned State. The State Govt. appoints them on the basis of the competitive Exams. Held by the State Public Service Commission. They are finally appointed by the Governor. Any person who has been an advocate for at least 7 years or one who is in the service of the State or the central Govt. is eligible to be a judge of the District Court provided he possess the required legal qualifications.

1. **Civil Courts:** The Court of the District Judge is the highest Civil Court in a district. Very often the same Court is called the court of District and Sessions Judge, when it deals with both Civil and Criminal cases at the district level. The Judge of this Court is appointed by the Governor of the State.

Below the Court of District Judge, there may be one or more courts of sub-judges in the district. Separate family Courts, which are equal to Courts of sub-Judge to here cases of family disputes like divorce, custody of Children etc. Below them there are Courts of Munsiff, which decided cases involving petty amounts.

Civil cases pertain to dispute between two or more persons regarding property, breach of agreement or contract, divorce or landlord, tenant disputes, civil Courts settle these disputes.

2. **Criminal Courts:** The Courts of the Sessions Judge in the height for criminal cases in a district. Below this Court, there are courts of Magistrates of First, Second and Third Class. In metropolitan cities like Delhi, Calcutta, Mumbai and Chennai, First Class Magistrate are called Metropolitan Magistrates.

All theses criminal Courts are competent to try the accused and to award punishment, as sanctioned by Law, to those who are found guilty of violation of Law. Criminal Courts involve theft, dacoits, rape, pick-pocketing, physical assault, murder, etc. These cases are filed in the Lower Court by the Police, on behalf of the State, against the accused. In such cases the accuses, if found guilty, is awarded punishment like fine, imprisonment or even death sentence.

3. **Revenue Courts:** Revenue Courts deals with cases of land revenue in the State. The highest revenue Court in the district is the Board of Revenue. Under it are the Courts of Commissioners,

Collectors, Tahsildar and Assistant Tahsildar. The Board of Revenue hears the final appeal against all the Lower Revenue Courts under it.

## **II. Short Questions and Answers**

**4 Marks**

### **1. Explain the original jurisdiction of the High Court ?**

Ans. The original jurisdiction of the High Courts is very limited. Cases of alleged violation of fundamental rights can be started in High Courts or in Supreme Court. The High Courts have the power to issue orders to restore the fundamental rights of the people. You will recall that these orders are called writs. The constitution has specifically given the power to issue certain writs of High Courts. The Writs in the nature of Habeas Corpus, mandamus, prohibition quo warranto and certiorari for the enforcement of rights of the people. This power is exercised in the original jurisdiction of the High Court and is not derogatory to similar power of the Supreme Court.

A High Court can hear election petition in its original jurisdiction. It can set aside the election of a member if it finds that he used corrupt means in his selection. All the lower Courts function under the superintendence control and guidance of the High Court in the State.

### **2. Describe the appellate jurisdiction of the High Court ?**

Ans. The Appellate jurisdiction of a High Court extends to both Civil and Criminal cases.

**Civil Cases:** In Civil Cases appeal to the High Court lies from the decision of a district Court. Appeals can also be made from the subordinate Courts directly, provided the dispute involves an amount exceeding Rs.5 Lakh. Any party to a civil dispute, which is dissatisfied with the decision of the District Court may appeal against the decision of the District Court, in the High Court. It also hears cases relating to patents and designs, succession, land acquisition, insolvency and guardianship.

**CRIMINAL CASES:** An appeal to the High Court lies in cases where the sessions Court has awarded the punishment of Four years or more. All cases involving capital punishment awarded by the Sessions Court come to High Court as appeals. A death sentence awarded to a Criminal by the Sessions Court can be carried out only if the High Court upholds the decision. Any case involving an issue of interpretation of the constitution can go to the High Court as an appeal.

### **3. Describe the Composition of the High Court ?**

Ans. The High Court is the highest Court of justice in the State. The provisions concerning the composition of the High Court. Appointment qualifications, salary, tenure, removal and powers of the Judges of the High Court are covered in Articles 214-231 in VI th part of our constitution. At present 21 High Courts for 28 states and Seven Union Territories. There is a High Court for every State in India. However, there can be a common High Court for two or more states. The High Court consists of a chief Justice and such other Judges as the President of India may deem it necessary. The number of Judges varies from 3 in the Guwahati High Court to 48 in Allahabad High Court.

The constitution also provide for appointment of Adhoc Judges for a period not exceeding two years. Such Judges are appointed to meet the urgency of work in a High Court.

The Judges of the High Courts are appointed by the President of India in consultation with the Chief Justice of India, the Governor of the State and the Chief Justice of High Court. A person to be appointed as a Judge of the High Court shall: 1. be a citizen of India. 2 have at least 10 years of service in judicial Office in India.. 3 have at least 10 years an advocate of High Court or High Courts in Succession.

The Judges can continue in Office until they attain the age of 62 years. However, a Judge may resign his office by an address to the President made by his own hand. The judges may also be removed from Office by the President under the same condition as sin the case of Judge of the Supreme Court. The Judges can be transferred from one High Court to another by the President.

#### **4. How can a Judge of the High Court be removed from Office?**

Ans. A High Court Judge may be removed before he attains the age of 62 years, only on the ground of incapacity or proved misbehavior. He may be removed if both the houses of Parliament adopt a resolution by a majority of their total membership and by two third majority of members present and voting, separately in each house in the same session. Such a resolution is submitted to the President, who then can remove the concerned Judge. This procedure is same as for removal of Judges of the Supreme Court.

#### **5. In what way are the powers and functions of Civil Courts different from Criminal Courts in a district?**

Ans. The Civil Court of the district Judge is the highest Court in the District to deal with Civil cases. very often the same Court is called the Court of District and sessions Judge, when it deals with both Civil and Criminal cases at the district level. The Judge of this Court is appointed by the Governor of the State. Below the Court of District Judge, then may be one or more Courts of Sub-Judges in the District. Separate family Courts, which are equal to Courts of Sub-Judge have been established in districts to exclusively hear cases of family disputes like divorce custody of children etc. Below them there are courts of Munsiff and small causes Courts which decided cases involving petty amounts. No appeal can be made against the decisions of the small causes Courts. All theses Courts hear and settle Civil disputes.

The Court of the Sessions Judge is the highest court for criminal cases isn a district. Below this court, there are Courts of Magistrates of First, second and Third Class. In metropolitan Magistrates. All theses criminal Courts are competent to try the accused and to award punishment, as sanctioned by law, to those who are found guilty of violation of law.

The Criminal courts involve theft, dacoit, rape, arson, pick-pocketing, physical assault, murder etc. In such cases the guilty person is awarded punishment. It may be time, imprisonment or even death sentence.

### **6. Explain the administrative powers of the High Court.**

Ans. The High Court also enjoys certain administrative functions within the territorial jurisdiction.

1. Under Article 227, every High Court has the power of Superintendence over all Courts and tribunals in the State. It ensures the proper working of these Courts. For this, it exercises the power of frame rules and regulations for Securing the efficient working of Courts.
2. It can issue general rules regulating the practices and proceedings of Subordinate Courts.
3. It can ask for the details of the proceedings of the subordinate Courts.
4. It can transfer any cases from one Court to another Court (Under article 258) and can even transfer the case to itself and decide the same.
5. It has the power to investigate or enquire into the records or other connected Documents of any Court subordinate to it.
6. The High Court has the power to appoint its administrative staff and determine the salaries, allowances and other conditions of the personnel working in subordinate courts. The power is exercised by the Chief Justice of the High Court.
7. The High Court along with the State Public Service Commission Renders advice to the Governor in the matters of appointing the Judges of the Subordinate Court.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. Which Court functions at the District level ?**

Ans. Several Civil Courts and Criminal Courts function in every district. There will be a district Civil Court at District level . Sessions Courts acts as the superior Court at District level in handling the Criminal matters.

#### **2. How are the High Court Judges removed from their Office?**

Ans. The Chief Justice and other Judge cannot be removed from their office under normal circumstances. They can, however be removed by the President on the address of the Parliament. Parliament can adopt an impeachment motion for the removal of erring and defaulting Judges.

#### **3. What do you know about the State Judiciary?**

Ans. State Judiciary is the third important organ of the State Govt. It consists of a High Court and a few subordinate Courts in the State. The subordinate Courts carry on their judicial functions at the District level and below the district level.

#### **4. How is the High Court composed of ?**

Ans. The High Court consist of a Chief Justice and such other Judges as the President of India deems fit. Some times there maybe some additional judges or Adhoc Judges in the High Court depending

upon the business. There will be an administrative Staff to assist the Judges. The Chief Justice appoints them with the prior intimation and approval of the State Government.

**5. How are Judges of High Court appointed?**

Ans. The Chief Justice and other Judges of the High Court are appointed by the President of India. The President of India, in consultation with the Chief Justice of India, the chief Justice of the High Court and the Governor of the State concerned, appoints the Judges.

**6. To whom does the High Court render advice?**

Ans. The High Court renders advice to the State Governor in the appointment of (Persons excepting the District Judges) the Personnel of state Judicial service. It also renders advice to the subordinate Courts in the matters of public interest or of level importance..

**7. What is the role of the High Court as a Court of record ?**

Ans. The High Court, like the Supreme Court, acts as a Court of record. It has the power to punish those for their contempt by any person or institution. It records all its sessions and Judgments. They carry evidentiary value. They are taken as judicial precedents and cannot be questioned.

**8. What are the qualifications required for becoming the Judge of the High Court?**

Ans. A Judge of the High Court must possess the following qualifications. He must be a citizen of India. He must have for at least ten years held a Judicial Office in the territory of India (or) He must have for at least ten years of service as an Advocate of a High Court or two or more such courts in successions.

**9. Explain any two appellate powers of the State High Court.**

Ans. High Court has appellate jurisdiction over subordinate Courts. A High Court may reduce the sentence or even acquit the accused against the judgment of a subordinate Court in the State. High Courts jurisdiction extends over Civil and Criminal matters in respect of appeals preferred against the judgment of subordinate Courts.

**10. How does the High Court exercise control over the Subordinate Courts in the State?**

Ans. The High Court exercises control over all courts and tribunals within its jurisdiction. It formulates and issues general rules for regulating the practice and procedure of the subordinate courts. It prescribes forms in which books sentries and accounts that are kept and maintained by the Officers, of such Courts, It determines the fees payable to the Sheriff Clerks, Officers, attorneys and Advocates in the Courts.

**11. Explain the family Courts?**

Ans. The family Courts can be setup by the State Govt. under the Family Courts Act, 1984. Such Courts are usually in cities, towns with a population of more than 10 Lakh. The main aim of these Courts is to promote conciliation and to secure speedy settlement of disputes relating to marriage and family affairs.

## 12. Explain Lok Adalats?

Ans. Lok Adalats are voluntary agencies which seek to resolve the disputes through conciliatory methods. These Adalats work under the supervision of the State Legal Aid and Advice Boards. The decisions given by the Lok Adalats are at par with the decrees of Civil Courts or orders of any other Court or tribunal and are binding on the parties to the dispute. In all the cases decided by the Lok Adalats, the Court fee paid by the parties is refunded.

## 13. Explain the Nyaya Panchayats ?

Ans. The Nyaya Panchayats have been established with the objective of providing speedy and inexpensive Justice to the villages. Usually the Nyaya Panchayats enjoys jurisdiction over one to five village Panchayats. The Nyaya Panchayats try all petty civil suits, relating to property and minor offences within its jurisdiction.

## IV. One Word Questions and Answers (In Text Questions)

### Fill in the blanks:

1. At present there are.....High Courts in India. ( 18/20/21)
2. The Union Territory of.....has its own separate High Court .  
(Daman and Diu/ Chandigarh/**Delhi**)
3. The Judges of the High Court are appointed by the.....  
(Governor/**President**/Prime Minister)
4. The retirement age of the Judges of a High Court is.....(60/62/65)
5. Though not a **State Delhi** has High Court.
6. Which punishment awarded by Lower Courts cannot be implemented without confirmation by the High Court.

Ans. Death sentence.

7. Name of the Highest Civil Courts of district.

Ans. Court of the District Judge ( District Court)

- 8 Which is the highest criminal Court in a district ?

Ans. Court of the Sessions Judge (Sessions Court)

9. There can be no appeal against the decision of **Small cases Courts**.
10. The highest revenue Court in a State in the **Board of Revenue**.



# Local Government Urban and Rural

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## Introduction

In your day-to-day life you require such facilities as water supply, drainage, garbage disposal, public health and sanitation. You may have watched such activities as installation or repairing of Street Lights, construction or repairing of roads or say renovation of a village tank, who does all this? It is not the central or State Government which immediately comes to your mind. It is the local Government with which you can immediately relate yourself.

In this lesson you will study about local Govt. at various levels.

## Objectives

After studying this lesson, you will be able to:

- Appreciate that the local Govt. has an important role to play both in the Rural as well as urban areas.
- Describe the Salient features of the 73<sup>rd</sup> and 74<sup>th</sup> amendments of the Constitution.
- Describe the organization and functions of the local bodies (urban and Rural)
- Identify the financial resources of local bodies and
- Evaluate the performance of the Panchayati Raj Institution as instruments of Democratic decentralization (grassroots democracy)

## I. Essay Questions and Answers

**8 Marks**

### 1. Describe briefly the three-tier structure of Panchayati Raj.

Ans: The three-tier system of local self Govt. envisages Panchayati at the village level Panchayati Samithi at the block level and Zilla Parishad at the district level. Each tier is organically linked to the next tier through the system of indirect elections. However elections to Panchayats at the

village level are direct. The organization and functions of various Panchayati Raj institution are as follows:

1. **Village Panchayati:** This is the basic or grassroots level of Panchayati Raj. It consists of the elected representatives of the Member ship usually varies from 5 to 31 '. In addition to elected members sets are also reserved for S.C. and S.T .Women etc. The Chairman of the Panchayati is known as the Sarpanch, who is elected by members of the Panchayati from among themselves.

Panchayats are responsible for the formulation and implementation of developmental programmes at the village level. They also perform certain administrative functions such as taking care of village sanitation. Public Health, Street lighting, the construction and maintenance of bridges wells and ponds, village roads, village schools etc.

**Gram Sabha:** The Gram Sabha is the general body of the village. It consists of all adults residing with the jurisdiction of the Panchayati. It exercises general supervision over working of the Panchayati and lays down necessary guidelines for its working. It controls the finances of the Panchayati, imposes various taxes and examines its accounts. The Gram Sabha usually meets twice a year and examines and approves the various development schemes of the Panchayati.

**Nyaya Panchayat:** These are judicial Panchayati and reminder of ancient village Panchayati that settled local disputes. They re setup to provide speedy and inexpensive justice. Nyaya Panchayats generally deal with petty civil and criminal cases and can impose fine up to Rs. 100/-only. There are no lawyers to plead the cases in Nyaya Panchayati. Parties to the disputes argue their own cases.

2. **Panchayati Samithi:** The second or middle tier of the Panchayati Raj is Panchayati Samithi which provides a link between Gram Panchayati and Zilla Perished. The strength of Panchayati Samithi also depends on the population in the Samithi area. In Panchayati Samithi, some members are directly ;elected. Sarpanch of Gram Panchayats are ex-offico members of Panchayati Samithi . However all the Scratches of Gram Panchayati are not members of Panchayati Samities at the same time. The number varies from State to State and is rotated annually. It means that only Chairperson of some Gram Panchayats in a Samithi area are members of Panchayati Samithi at a time. In some Panchayats, members of Legislative Assemblies, Legislative Councils as well as members of Parliament who belong to the Samithi area are co-opted as its members, Chair persons of Panchayati Samithi are generally elected from among the directly elected members.
3. **Zilla Parishad:** Zilla Perished at the district level is the upper most tier of the Panchayati Raj system. This institution has some directly elected members whose number differ from state to State as it is also based on population. Chair persons of Panchayati Samithi are ex-Officio members of Zilla Perished. Members of Parliament, Legislature Assemblies and Councils belonging to the districts are also nominated members of Zilla Parishads. The Chair person of Zilla Perished called President, is elected from among the directly elected members. The Vice Chair- person is also elected similarly . Zilla Perished meeting are conducted once a month. It performs mainly coordinating and supervisor functions and developmental schemes within its jurisisdction.

## **2. Analyses the Recommendations of the Bal want Raj Mehta Committee.**

Ans. The Bal want Ray Mehta Committee (1957) suggested ways of democratic decentralization in a three-tire structure of Panchayati Raj. This meant that Panchayati Raj should be setup at three levels. They should be furnished with sufficient powers and resources .Theses three tires of Panchayati Raj are:

- A. Zilla Perished at district level.
- B. Panchayati Samithi at Intermediate or block level.
- C. Village or gram Panchayati at village level.

In this scheme Panchayati Samithi was to be the most important. These three bodies were interlinks as the lower body was represented in the higher body through its chairperson. Panchayati Raj of the Bal want Ray Mehta Committee pattern was first introduced by Rajasthan in 1959. Later other states also followed initially both the people and the States were enthusiastic about Panchayati Raj. However Panchayati Raj institutions began to decline very soon owing to Government indifference and political interference.

## **3. Briefly discuss the salient features of the 73<sup>rd</sup> Amended of the Constitution of India.**

Ans. The Congress (I) Government of Narsimha Rao, carried out the 73<sup>rd</sup> constitutional Amendment in December, 1992 to decentralize the power down to village level. The Amendment became operative after rectification by the requisite number of States and assent by the President. The 73<sup>rd</sup> Amendment to the constitution enacted in 1992 made statutory provisions for the establishment, empowerment and functioning of Panchayati Raj institutions. Some provisions of this amendment are binding on the states while others have been left to be decided by respective State Legislature at their discretion. The Salient features of this amendment are as follows:

Some of the compulsory requirements of the new laws are:

1. Organization of Gram Sabha at the village level. All the registered voters of the village are the members of the Gram Sabha.
2. Creation of a three-tier Panchayati Raj Structure at the Zilla, Block and village Levels.
3. Almost all posts at all levels to be filled by direct elections.
4. Minimum age for contesting elections to the Panchayati Raj institution be Twenty one years.
5. The post of the chairman at the Zilla and Block levels should be fileld by indirect elections.
6. There should be reservation of seats for Schedule Caste , Schedule Tribes in Panchayats, in proportion to their population and for women in Panchayats up to one third seats.
7. State Election Commission to be set up in each State to conduct elections to Panchayati Raj Institutions.

8. The tenure of Panchayati Raj institutions is five years. If dissolved earlier, Fresh elections to be held within six months.
9. A State finance Commission is setup in each State every five years, which reviews the financial position of Panchayats and make recommendation to the Governor for the distribution of the net proceeds of taxes between the States and the Panchayats, from the consolidated fund of the State.

Some of the provisions which are not binding on the States, but only guidelines are:

- A. Giving voting rights to members of the Central and State Legislatures in these bodies.
- B. Providing reservation for backward classes and
- C. The Panchayati Raj institutions should be given financial powers in relation to taxes; levy fees etc. and efforts shall be made to make Panchayats Autonomous bodies.

#### **4. Evaluate the functioning of Panchayats as grass roots institutions of democracy.**

Ans. The concept of grassroots democracy at both rural and urban levels has not flourished in the country. Some of the major reasons behind this failure and politicization of administration entry of criminal elements in the elected bodies, rampant corruption case and group division, priority to self interest over, public welfare and electoral malpractices. The 73<sup>rd</sup> amendment seeks to radically alter the power relations in the villages by reserving seats for scheduled caste, tribes, backward classes and women. However, in the absence of proper education training and economic independence, these groups are unable to assert themselves. Illiteracy poverty and unemployment are the major handicaps. Urgent steps need to be taken to effectively deal with these problems in order to facilitate participatory development. Though the provision for reservation of seats for woman has been manipulated by their male counter parts mostly their husbands it has certainly empowered them to some extent. They are increasingly becoming aware of their rights and responsibilities and are asserting themselves in certain cases. This is definitely a very positive development.

The latest conditional Amendments have certainly broadened the financial resources of the local self Governing institutions. However they still remain starved of funds. Taxation powers have been given to them but they are unable to collect enough taxes. So due to scarcity of resources, Panchayati are not able to fulfill their role as self governing institutions. The State Govt. are authorized to cancel their resolutions and even dissolves them. However the 73<sup>rd</sup> amendment made it clear state to hold elections of Panchayati Raj bodies within six months of their dissolution.

It is necessary that the people participate actively in democratically elected Panchayats. This can be ensured through Gram Sabha. Through this the people can question and demand explanation from Panchayats. The Grama Sabha can successfully play the role of recurring democracy at the grassroots if they are endgared this sufficient authority. Panchayats as the foundations of democracy at the grass roots can be strengthened only by reposing faith in them, with adequate administrative and financial powers and encouraging vigilance and active participation of the people.

**5. What were the major reforms introduced by the 74<sup>th</sup> constitutional amendment?**

Ans. **74<sup>th</sup> Constitutional Amendment: Act** : Prior to the passage of 74<sup>th</sup> constitutional Amendment Act, there was no uniformity in respect of composition, duration and function of the urban local bodies in various states, there were also kept suspended for long time by the State Government on petty grounds. 74<sup>th</sup> constitutional amendment Act has given recognition to these bodies and has also prescribed uniformity in their duration and has also made it obligatory that no local body can be kept in state of suspension for more than 6 months. The Act has introduced many reforms in the working of Urban local bodies and has triads to make them work as Local self Government institution in reality.

**Reforms introduced by the Act:** The 74<sup>th</sup> constitutional Amendment act has affected following changes and reforms in the Urban local bodies..

**1. Constitution of Municipalities:** The Act has made it obligatory on the State Govt. to constitute municipalities in its area as under..

- a) Nagar Panchayati or body under some other name in small towns or town .Which are in the form of transaction from rural area to urban area.
- b) Municipal councils in small and medium type urban area.
- c) Municipal corporations in larger urban area. The State Govt. is empowered to decide which body is to be constituted in an area.

**2. Composition of Municipalities:** All the three types of Municipal bodies are to consists of following types of members..

1. Elected representatives who are to be elected directly by the people from different electoral wards created on the basis of almost equal population.
2. Representatives of members of Lok Sabha, Rajya Sabha, State Legislative Assembly and Council elected from the area of the municipality.
3. Persons having special knowledge or experience of working of municipal administration.

**3. RESERVATION OF SEATS:** Provisions has to be made for reservation of seats for persons belonging to weaker sections as under.

- A. Seats are reserved for members of Scheduled Caste and Schedule tribes in Proportionate to their population.
- B. One-third of reserved sets are to be reserved for women.
- C. One third of total elected seats (including the seats reserved for women Belonging to S.C. and S.Ts. are to be reserved for Women.
- D. State Legislature can made provision for reservation of seats for members Belonging other backward classes.
- E. Office of the Chair person is to be reserved for S.C./S.T. and women.

4. **TENURE:** All municipal council, committee and corporations shall have five years term. A municipal body can be suspended or dissolved by the Govt. , but must be reinstated or reconstituted within six months. Thus a local body cannot be kept under suspension or dissolution for more than six months . The reconstituted body would remain in office for the rest of the term of the dissolved body.
5. **STATE ELECTION COMMISSION:** The Amendment act provides that every State Govt. shall appoint an independent selection Commission to ensure timely elections of the municipal bodies in the State. .
6. **POWERS AND FUNCTIONS:** 74<sup>TH</sup> Constitutional Amendment act has also provided that the State Govt. shall made law authorize the municipalities to make rules and regulations on the subjects mentioned in 12<sup>th</sup> schedule and also to make plans for socio-economic development of the areas and social justice.
7. **MUNICIPAL FINANCE:** The Amendment act provides that the Municipalities shall have power to levy taxes, duties tolls and fees as authorized by the State Government.

The Act also provides that the State Governor shall appoint State Finance Commission every five years to make recommendations in the distribution of income for principles rolls, duties and fees between the State Govt. and the municipalities, and for amount of grant in aid to be given out of consolidated fund of the state. The Finance Commission shall also make recommendations for improving the financial position of the municipalities.

8. **URBAN PLANING:** The Amendment act provides for District planning Committee in each district to consolidate the plans prepared by the Municipalities and the Panchayats of the whole district. It will prepare a development plan for the whole district.

## II. Short Questions and Answers

**4 Marks**

### 1. What is urban local Government?

Ans. In our towns and cities, we have local Government institutions that are called municipalities and Municipal Corporations. An urban area is usually a compact and densely populated area. Municipal administration is necessary to provide basic civic facilities like water supply , drainage, garbage disposal, public Health, primary Education construction and maintenance of roads and sanitation. As local level democratic Government, the Municipal Institutions that are elected by the local people, raise taxes and collect fees and fines from the public. They regulate city life by laying down regulations regarding buildings, road net work and garbage disposal. There are many developmental activities undertaken by them like Women and child development, slum improvement etc., Municipal Government has made possible participative urban development and local management of civic facilities.

## **2. Identify the major functions or urban local bodies:**

Ans. Urban local bodies or Municipalities play an important role in the planning and development of urban areas. However, most studies undertaken to assess the functioning of municipalities in India point out that the performance of Municipalities in the discharge of their duties has continued to deteriorate over time. It is noted that Municipalities in India are confronted with a number of problems. Such as inefficiency in the conduct of business, ineffective participation by the weaker sections of the population in Local Governance, weak financial condition, lack of transparency in the planning and implementation of projects etc. which affect their performance adversely. The twelfth schedule mentioned 18 subjects on which a municipality will be empowered by the State Legislature by Law to exercise its administrative control. The twelfth schedule lists the following subjects:

1. Urban planning including town planning.
2. Regulation of Land use and construction of buildings.
3. Planning for Economic and Social development.
4. Roads and bridges.
5. Water supply for domestic, industrial and commercial purpose.
6. Public health, sanitation conservancy and solid waste management.
7. Fire services.
8. Urban forestry, protection of environment promotion of ecological aspects.
9. Safeguarding the interests of weaker sections of Society including the handicapped and mentally retarded.
10. Slum improvement and upgradation.
11. Urban poverty alleviation
12. Provision of Urban amenities and facilities such as parks, gardens, play ground.
13. Promotion of cultural, Educational and aesthetic aspects.
14. Burial and burials grounds, cremations, cremation grounds and electrical Crematoriums.
15. Cattle ponds, prevention of cruelty to animals.
16. Regulation of slaughter houses and tanneries.

## **3. Mention the important sources of Income of Urban local bodies.**

Ans. Municipal corporations and Municipalities raise their own resources from a variety of sources, as provided for in the respective municipal law. Their own revenue sources are income from 1. Taxes 2. Fees and fines and 3. Earning Municipal enterprises like land, tanks, markets, shops. Etc., Besides these bodies receive grants from the State.



Some of the taxes and rates collected by Urban bodies are property tax's water tax for water supplied, sewerage tax, Fire tax, Taxes on animals and vehicles. Theatre Tax, Duty on transfer of property, Octroi Duty on certain items brought into the city, Education cess (tax) and professional tax. Some of the sources of income are fines and fees such as fees on Tehbazari on Takhtas and chbutras, license fees on cycle rickshaws bicycles, etc. rent from Municipal shops, and fines imposed for violation of Municipal by laws.

#### **4. What are the functions of village Panchayati?**

Ans. The functions of village Panchayati may be classified into two kinds. They are 1. Essential functions  
2. Discretionary functions.

##### **Essential functions:**

1. Construction, repair and maintenance of the roads, buildings, public toilets, wells , ponds etc.,
2. Construction and maintenance of the burial grounds.
3. Registration of births and deaths.
4. Implementation of the clean and green programmes.
5. Prevention and cure of epidemic diseases.
6. Manufacture and sale of the manures.
7. Maintenance of the cattle sheds etc.,

Discretionary Functions: The discretionary functions of the Gram Panchayati are :

1. Construction and maintenance of the rest houses. Primary Schools, dispensaries, Libraries, reading rooms, parks, market places etc.,
2. Establishment and maintenance of the maternity and child welfare centers.
3. Mobilising voluntary labour for community development works.
4. Publicizing the latest methods of cultivation, Execution of land records etc.,

#### **5. Mention any Five Provisions of the constitution 74<sup>th</sup> Amendments Act, 1993.**

Ans. 1. The act gave constitutional recognition to the urban local bodies for the first time.  
2) It introduced 12<sup>th</sup> Schedule in the constitution, It listed out 18 subjects under the jurisdiction of urban local bodies.  
3. It provided for the establishment of ward committee in municipalities having more than 3 Lakh populations.  
4. It provided for reservation of some seats in Urban local bodies for scheduled castes and Scheduled tribes in proportion to their population in Municipalities.  
5. It empowered the State Legislature to make laws enabling the municipalities to impose and collect taxes, allocate funds and receive grants.

**6. Write about the brief historical background of local Governments in India.**

Ans. Local Govt. in India have a long historical background. The Rig-Veda, the oldest of four Vedas, mentioned two institutions namely, Sabha and Samithi which performed several administrative state structures at local levels in ancient period. They relate to village Panchayats and caste Panchayats which managed the administrative and judicial affairs of a village Community. These institutions continued for several years even without the effective support of the ruling classes of the time. Many eminent writers like Megasthenes, Kautilya Fahien have cited the existence of these bodies in their writings.

**7. Write about the origin of Urban Local Governments in India.**

Ans. Megasthenes, a prominent Chinese traveler who visited India during Mauryan period in 4<sup>th</sup> century B.C. mentioned about the urban local Governments in India in his book "India". He described that an urban area known as a town was administered by six committees consisting of five officials.

Each committee owned responsibility for looking after separate activities like industrial arts, entertainment of foreigners, deaths and births, trade and commerce, supervision of manufactured goods and collection of commercial taxes.

The main milestones in the evolution of the urban local government of India during the British period are summed as follows: The first Municipal Corporation in India was set up at Madras in 1687 with the aim of assigning financial responsibility of city administration to the newly created corporation.

**8. Analyses the recommendations of the Ashok Mehta Committee**

Ans. In December 1977, the Janatha Government appointed a Committee under the Chairmanship of Ashok Mehta to review the working of Panchayati Raj institutions and make necessary recommendations for its improvement. In its report of 1978, the Committee made the following suggestions to improve the working of Panchayati Raj Institutions.

1. Replacement of the existing three-tier system by a two tier-system consisting of Mandal Panchayats at the bases and the Zilla Parishads at the top.
2. To reduce the dependence of the Panchayati Raj Institutions on the State Government, the Committee suggested that Panchayati Raj institutions be given compulsory power of taxation to augment resources.
3. It sought to protect the interests of vulnerable sections of Society by creating certain monitoring forums. It suggested the setting up of a social justice committee in each Zilla Parishad to ensure that Panchayati Raj institutions do not neglect the interest of these sections.
4. The committee favored the open participation of political parties in the working of Panchayati Raj institutions.

These recommendations were designed to revitalize Panchayati Raj Institutions and to accord them constitutional Status.

### 9. Write a short note on block Development Officer. (B.D.O.)

Ans. B.D.O. also plays key role in the district Administration particularly, socio-economic development of the rural area and the smooth functioning of Panchayati Raj System, when community development blocks was created and they were placed under B.D.Os. and B.D.O. was made responsible for all round development of the block. Later Panchayati raj Institution were also placed under this supervision. Generally the Development blocks have been created in a Tahsil and in some States. Tahsil level development blocks have been created.

B.D.O. is appointed by the State Govt. and they are recruited through State P.S.C. His main functions are as under.

1. He acts as the Secretary of Panchayati Samithi and responsible for execution Of decisions, taken and plans made by the Panchayati Samithi.
  2. He is responsible for the execution of all Govt. developmental plans in his area with the help of various extension Officers and other Staff at his disposal.
  3. He supervises the working of Panchayats that all within the block area.
  4. He arranges for Panchayati Samithi meetings, prepare its agenda, maintain the Miniutes of the proceedings and sends them to higher authorities for Administration and approval.
  5. He exercises administration authority over the personal working in the Panchayati Samithi.
  6. He is responsible for the safe custody of records and property of Samithi and Govt. properties.
- Thus the main task of the B.D.O. is to manage the affairs of Samithi and execution of Development plans.

### III. Very Short Questions and Answers

**2 Marks**

1. **Grama Sabha:** There is a Grama Sabha for every village, Panchayati. It consists of the registered voters of the gram Panchayati. It meets at least once for every four months. The annual budget of the Gram Panchayati has to be approved by the Gram Sabha.

2. **Write a note on a village Sarpanch.**

Ans). The Sarpanch is the political head of the Panchayati. He presides over the meetings of village Panchayati/Gram Sabha. He will have administrative control over the Panchayati Security. He supervises and renders advice in regard to the implementation of the various Panchayati resolutions. The Secretary prepares the agenda of Panchayati meetings on the advice of the Sarpanch.

3. **Types of the Rural Governments in India.**

Ans) The rural Govts. In India are of three types. They are

1. Village Panchayati.
2. Intermediate bodies (Mandal Parishads etc.)

3. Zilla Parishads.

4. Zilla Maha Sabha: Zilla Maha Sabha is an important body of Zilla Parishad. It consists of three types of members. They are 1) President of the Mandal Parishads in the district. 2. The Chairman of Zilla Parishad. 3. The members of Zilla Parishad. It acts as an advisory organ of Zilla Parishad.

**5. Cantonment Boards:** Cantonment Boards are established in India under the Cantonment Act of 1904. At present there are 62 Cantonment Boards in India. These bodies take steps for improving the conditions of civilian population and military personnel in their jurisdiction. There are three types of Cantonment Boards in India. They are created by an Act of the defense ministry.

**6. Two functions of Zilla Parishad.**

- Ans. 1. It considers and approves the annual budgets of the Mandal Parishads in the district.
2. It distributes the funds received from Centre and State Governments among the Mandal Parishads.
3. It brings coordination among various Mandal Parishads in the implementation of development and plan programmes.

**7. Zilla Parishad standing committees.**

Ans. There are seven standing committees in Zilla Parishad. They render advice to the Zilla Parishad on several matters like planning, finance, agriculture, rural development, women social welfare, education, health etc. The Chief Executive Officer prepares the agenda meeting and decides the venue of the standing committees on the advice of Zilla Parishad Chairman. The District Collector participates in Zilla Parishad and Standing committee meeting as a permanent invitee.

**8. Two functions of M.P.D.O.**

- Ans. The MPDO exercises the following powers and functions.
1. He prepares the agenda of the meeting of the Mandal Parishad after consulting the Mandal Parishad President.
2. He participates in the meetings of the Mandal Parishad.
3. He exercises administrative control over the staff, properties and records of Mandal Parishad.
4. He dispatches a copy of the minutes of Mandal Parishad to the state Government.

**9. The Constitution (seventy Third Amendment) Act, 1992.**

Ans. The Constitution (73<sup>rd</sup> Amendment) Act, 1992 came into force from 24<sup>th</sup> April, 1993. This act reinserted 11<sup>th</sup> schedule in the Indian Constitution. The act clearly defined the terms like District, gram Sabha, Panchayati village, etc.,

#### 10. Zilla Perished Chief Executive Officer.

Ans. There will be a Chief Executive Officer in Zilla Perished. He appointed by the State Government, is responsible to the State Government and Zilla Perished in exercise of his powers and functions. He serves as the administrative head of Zilla Perished. He plays a key role in preparing the annual budget of the District.

#### 11. Municipal Council:

Ans. Municipal Council is the deliberative body of the Municipality. It consist of members 1. Elected 2. Co-opted and 3. Ex-Officio members. Registered voters in the Municipal area elect the first category of members. They are called co-o0pted members. The elected members will in turn elect the second category of members. They are called councilors. The District Collector and the Municipal Commissioner, the member of the Lok Sabha and State Legislative Assembly of the area concerned are the ex-officio members.

### IV. One Word Questions and Answers (In Text Questions)

1. MetropolitioIn (large) cities like Delhi and Mumbai have.....as their urban local bodies (**Municipal Corportion**/Muncipal Committee/Nagar Panchayati)
2. ....seats are now reserved for Women in local bodies (Half/**one-third**/one-fourth)
3. State election Commission conducts elections of.....  
(State Governor/Vidhana Sabha /Municipal Corporation and Committees)
4. Normal tenure of Urban local bodies in.....years (Three/four/**five**)
5. The administrative head of a Municipal Corporation is designated as .....  
(Chairman/Major/**Municipal Commissioner**)
6. ....is an obligatory function of the urban local bodies.  
(Maintenance of Orphanages/Construction of houses for low income group Supply of drinking water)
7. ....is the Major sources of income of Urban local bodies.  
(**Property tax**/Fire tax/Education cess)
8. The concept of Panchayati Raj was advocated by.....  
(**Mahatma Gandhi**/Jawaharlal Nehru/Sardar Patel)
9. Three-tier system was first advocated by the Committee headed by .....  
(Ashok Mehta /**Bal want Ray Mehta**/Suresh Mehta)
10. The middle tier of Panchayati Raj is.....  
(Zilla Parishad/**Panchayat Samithi**/Gram Panchayati)

11. The 73rd Amendment has provided for a .....to regulate the finances of Local bodies.(State Planning Board/State Election Commission/**State Finance Commission**)
12. The.....is responsible for coordinating developmental activities in a Panchayati Samithi area ( District Magistrate/S.D.M./**B.D.O./**
13. Petty disputes are settled in the rural areas by.....  
(Grama Panchayati/**Nyaya Panchayati**/Panchayati Samithi)
14. ....is the symbol of direct democracy.  
(**Grama Sabha**/Gram Panchayati/Zilla Parishad)
15. Chairpersons of Panchayati Samithi area ex-officio members of.....  
(Nyaya Panchayati /Gram Sabha /**Zilla Parishad**)
16. Who receives income from the sale of dung, refuse and carcasses ?  
(Zilla Parishad/Panchayat Samithi/**Gram Panchayati**)
17. What is a toll tax ?  
Tax on the sale of Public property/**Tax for the use of bridges or roads**/ Tax on electricity
18. By whom are the taxes imposed on commission agents ?  
(**Zilla Parishad**/Panchayat Samithi/Nyaya Panchayati)
19. What was the aim of reservation of seats for women, scheduled Castes/  
(Tribes and other backwards classes)  
(To develop the economy/**To alter the Social Structure of villages**/To promote Cooperation)
20. Why are the Panchayats unable to fulfill their role as self governing institutions.  
**Scarcity of resources**/Lack of participation by the youth/ Interference by political Class)
21. Which body can ensure participation of democratically elected representation?  
State Assembly/Zilla Parishad/**Gram Sabha**.

# Universal Adult Franchise and The Methods of Representation

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## Introduction

In an earlier we have studied the opening words of the preamble to the Indian constitution are “We the people of India” These words mean that the ultimate authority resides in the people themselves. People exercise authority through the representatives elected by them. These representatives conduct the functions of the Government in accordance with the wishes of the people. People govern themselves through their elected representatives. In a country which is vast and ha a large population, the establishment of direct democracy is an impossible task, except in some cases at the local level of governance. That is why all modern democracies have representative Governments. That is Governments Selected by the people. In these democracies all adults have the right to elect their representatives. The right to vote is called franchises or suffrage.

## Objectives

After studying this lesson, you will be able to:

- Comprehend the meaning of Universal adult franchise.
- Explain the significance of universal adult franchise.
- Recall that the minimum age for the right to vote differs from country to country.
- Recall that in India minimum voting age is 18 years.
- Identify the various methods of representation.

## I. Essay Questions and Answers

**8 Marks**

### 1. Explain the meaning and significance of universal Adult Franchise. ?

Ans) The right of the people to vote and elect their representatives is called franchise. The words franchise is derived from the French word” Franc” which means “free”. It means free exercise of



the right to choose one's representatives. Adult Franchise means that the right to vote should be given to all adult citizens without the discrimination of caste, class, colour, religion or sex. It is based on equality which is a basic principle of democracy. It demands that the right to vote should be equally available among all. To deny any class of persons from exercising this right is to violate their right to equality. The exercise of right to vote adds to the individuals self respect, dignity, sense of responsibility and political and Civic education. In other words the system of adult franchise is the bedrock of a democratic system. People are called political sovereign because they possess the right to vote a Government in to power, or to vote a Government out of power. This is why democracy has some times been described a mode of appointing, controlling and dismissing Governments by the people.

As provided for, in the constitution of the land, the citizens cast their votes at regular intervals to elect their representatives to the parliament, to the legislative Assemblies, and such other institutions as are essential organs of political power in democracy. These institutions represent the will of the people.

Historically, an adult franchise has been slow in making itself a Universal law. In fact one of the major demands in the long drawn struggle for democracy in the world has been the acceptance of the principle of Universal adult franchise, as the basis of ascertaining the wishes of people. Till the second decade of the 20<sup>th</sup> century, not all the countries were practicing universal adult franchise. Many democratic systems had restricted to male franchise only, based on property, education and other qualifications. Most of the western countries introduced adult franchise only in the wake of the First World War (1914-18) a War which was proclaimed to be fought by the Allied powers (Greater Britain, France and United States and the allies) to make the world safe for democracy. But while the defeated Germany incorporated the principle of universal adult franchise in 1919, it took nine more years for Great Britain to extend franchise to women in 1928. In 1918 Britain had granted franchise to limited number of women. It was decided that while all adult men 21 years of age and above have the right to vote, women only above the age of 30 years could possess the right to vote. This discrimination was removed only in 1928. France, the land that gave the popular slogans of liberty, Equality and Fraternity, could introduce the right of universal adult Franchise after end of the Second World War 1945. In Switzerland, the home of direct democracy denied the right to vote to women till 1973. India adopted the Principle of Universal franchise when the Present constitution was enacted in 1949 which was implemented on January 26, 1950. The voting age varies from country to country. In Denmark and Japan, a person, man or woman is entitled to vote after attaining the age of 25 years. In Norway, the age limit is 23, In Great Britain, the United States, Russia and Turkey it is 18. In Switzerland, it is 20 years. In our country, now the minimum age for exercising franchise is 18 years. The 61<sup>st</sup> Amendment act of 1989 lowered the voting age from 21 to 18 years.

**2. Describe the system of proportional representation. What are the two methods of ensuring proportional representation?**

Ans. The system of proportional representation is an electoral device to ensure representation of all sections of the people more or less in proportion to their voting strength. Under this system any group, whether it is a political party or interest group will secure representation in proportion to the popular votes it obtains.

J.S.Mill was an ardent advocate of proportional representation. He said “In any really equal democracy every or any section would be represented not disproportionately, but proportionately. A majority of the electors would always have a majority of representatives, but a minority of electors would always have a minority of representatives. This system ensures that the number of seats a political party gets in the legislature should be in proportion to the support of the popular votes. Some times in the simple majority system it is seen that a party gets more seats in the legislature even through it receives less percentage of votes. For instance, in India, 1971 Lok Sabha elections congress polled only 46 percent votes yet it managed 351 seats out of 522. That is even with less than 50% votes. Congress won 68% of the seats in the Lok Sabha. This limitation of the first-past. The post system may be removed through proportional representation system .There are two methods by which proportional represented is secured.

1. **The single transferable vote system:** This system at first evolved by carl Andhra, was advocated by Thomas Hare, J.S.Mill also supported this system. According to the single transferable vote system each voter can cast only one vote which can be transferred to other candidates, if necessary, according to the preference of the voter. Therefore, this system is called the preferential system.

This system works under the following conditions.

1. Every constituency should be a multy number constituency, elected three or More members.
2. A voter has only single vote which may be cast in order of preference. The voter writes 1,2,3 and so on against the names of the candidates of his choice. But the voter cannot cast all his preferences in favour of only one candidate.
3. In order to be elected, a candidate must secure a certain quota of votes. The quota is determined by dividing the total votes cast by the number of seats in the constituency.

$$\text{Quota} = \frac{\text{Total number of votes polled} + 1}{\text{Total number of sets in the constituency}}$$

For instance, if the number of seats in a constituency is 3 and the total number of votes cast is 20,000

$$\text{The quota will be : } \frac{20,000 + 1}{3}$$

The counting of votes begins with the first preference of votes. A candidate securing the prescribed quota on the basis of the first preference votes is declared elected, and his surplus votes, if any are transferred to the candidates having second preference indicated on the ballot papers and so on. They are transferred till the required number of candidates get the required quota and are declared elected. This system has been adopted in India for the election of the number of Rajya Sabha and State Legislative councils. This method is also followed for the election of President of India.

**2. List system:** List system is another method of proportional representation. Following principles are involved in this system.

1. List system also requires multiple member constituencies in place of single Member constituencies.
2. In this system candidates do not contest election individually. All political Parties put up the lists of their candidates they want to file, in order of Preference.
3. Voter is required to vote not for a particular candidate, but for the list. List can be of two types. Bound list and Free list. In bound list system the voter votes only for list, he cannot indicate his choice of candidate in the List. In Free list which is used in Switzerland the voter can indicate his choice or preference for the candidate but he has to indicate choice only in one list. He cannot vote for two candidates of two different lists.
4. After the votes are polled and counted list wise candidates of the political parties are declared elected in proportion to the votes polled by each party.

## **II. Short Questions and Answers**

**4 Marks**

**1. What is a simple majority system? Explain.**

Ans. Simple majority system means that in case of a single member constituency, the candidate getting the highest number of votes is declared elected. The result is decided by the majority of votes secured by a candidate. Many a time in this system, there is a multi-cornered contest, as the number of candidates is more than two. There are classes where four or five or even more than five candidates contest. In such a situation, a candidate with even less than 50% of the total votes gets elected. Such cases are very often found in India and elsewhere. The system of simple majority system is prevalent in Britain, U.S.A. Canada and some other countries.

This simple majority system is also called the first –past –the post system. Members of our Lok Sabha and State Assemblies are elected by this system.

**2. Explain the methods of securing minority representation other than the proportional representation.**

Ans. Apart from proportional representation, some other electoral methods have also been devised to ensure adequate representation to the minority groups in the legislature. These systems of minority representation are as follows:

**Cumulative Vote System:** According to this system a voter has as many votes as the number of seats in the constituency. The voter has options. He can cast vote for all the candidates or concentrate all his votes for just one candidate. For example, if 5 members are to be elected, the voter may give his vote to only one candidate or distribute it among a few or all candidates.

**Limiteds Vote Plan:** This system is adopted in a multi member constituency from where minimum of 3 candidates are to be elected. Under this system every voter can vote for more than one candidate, but he cannot vote for all the candidates. That is why, it is known as the limited vote systems. For example, if there are 6 seats in a constituency, every voter will have right to vote only for 4 candidates. The voter has to vote for different candidates of his choice, but he cannot vote for more than 4 candidates.

### 3. What do you mean by Constituency?

Ans) A body of voters who elect a representative is known as constituency. The body of voters may belong to a particular geographical area. The constituency for Lok Sabha and Assembly elections consists of voters of respective areas. But the constituency for the election of President of India consists of the Member of Parliament and State Assemblies. There may be single member constituency or multi member constituency.

**Single Member Constituency:** When only one member is selected from a constituency it is known as single member constituency. For Lok Sabha elections India is divided into 543 single member constituencies. This system is adopted in India, Britain, U.S., Canada, Russia, Australia, Nepal and Pakistan.

**Multi-member Constituency:** This system is also known as the “General Ticket system” when more than one candidate are elected from a constituency, it is called a multi-member constituency. Such constituencies exist in Switzerland, Denmark, Sweden and Italy. According to this system, the whole country is divided into large constituencies and from each constituency many representatives are elected. The political parties get the seats in proportion to the votes they secure in concerned constituencies. In this constituency, the method of proportional representation is adopted. For being elected a candidate has to achieve a fixed quota of votes.

### 4 Explain the second Ballot system?

Ans) In election, if there are only two candidates contesting election for a single seat, the one who secures a clear majority (At least 50% +1) is declared elected. But when there are more than two candidates, it may be the case that none of the candidates secures an absolute majority. In this second ballot only two candidates, who had secured maximum number of votes in the first poll remain in the field. After voting, one who secures more than 50% votes is declared elected. For example, in a constituency, three candidates are contesting election. The total numbers of voters polled are 12000. Candidate A secures 5000 votes. B secures 4000 votes and C secures

3000 votes. In such a situation no candidate gets absolute majority. i.e., 6001 votes. This necessitates holding of a second ballot. The candidate (in this case, candidate C) who has secured least number of votes is dropped. As such the contest now remains A and B. If B secures majority at the second poll than B and not A will be declared successful. This system is practiced in France for the election of President and the National Assembly.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. Universal Adult Franchise.**

Ans. The makers of the Indian constitution provides for the universal adult franchise for all citizens without any discrimination based on caste, colour, creeds, community, language, religion, region, sex, property, education etc., at the beginning, the right to vote was given to all the citizens, who attained age of 21 years. Later the voting age was reduced to 18 years.

#### **2. What is secret ballot? Write its one advantage.**

Ans. Secret ballot is the system which enables the voter to cast his vote absolutely in a secret manner. Only the voter knows in whose favour he has cast his vote. When he casts his vote only he is the room and nobody else is allowed to interfere or pressurize him in the exercise of his franchise. One advantage of secret Ballot is that the voter can cast his vote freely, fearlessly and without any pressure.

#### **3. What is the constituency?**

Ans. A body of voters who elect a representative is known as Constituency. The body of voters may belong to a particular geographical area. The Constituencies for Lok Sabha and Assembly elections consist of voters of respective areas. There may be single member Constituency or multi-member constituency.

#### **4 Territorial Representation**

Ans. This is the most popular method of electing representatives in most of the democratic countries. In this system all eligible voters living in a specified area vote to elect their representative. The total electorate of the country, irrespective of their profession is divided into territorial constituencies, which elect one or more representatives. The entire population is divided into constituencies with more or less equal number of voters.

#### **5. Functional representation**

Ans. Functional representation means that representatives are elected by Various professional and functional groups ;like industrial workers, trading functionaries, Lawyers, teachers, transporters etc. According to this method separate constituencies are setup for people belonging to specific group. For Example: There may be a Constituency of teachers who elect their representatives.

#### IV. One Word Questions and Answers (In Text Questions)

1. Universal Adult Franchise means the enjoyment of the right to vote by:  
(a) **All adults both men and women**      (b) Only men  
(c) Only women      (d) minors.
2. Who among the following do not have the right to vote ?  
(a) Minors      (b) **aliens**  
(c) persons who are of unsound mind/Lunatics  
(d) All the above.
3. The minimum age for voting in India is.  
(a) 16 years      (b) **18 years**      (c) 21 years      (d) 25 years.
4. Switzerland introduced Universal Adult Franchise in the year.  
(a) 1914      (b) 1945      (c) 1928      (d) **1971**
5. The first past the post system is commonly known as...**Simple Majority system.**
6. The multi member constituency is also known as the General Ticket system.
7. In India, the elections to Lok Sabha and Legislative Assemblies are held on the **Basis of Territorial system.**
8. The methods by which proportional representation is secured are **Single transferable vote system** and **List system.**
9. Electoral methods to ensures adequate representation to the minority groups in the legislature are called **Cumulative vote system** and **Limited Vote Plan.**



# Electoral System in India

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## Introduction

Elections enable every adult citizen of a country to participate in the process of Government formation. You must have observed that elections are held in our country frequently. These include elections to elect members of the Lok Sabha, Rajya Sabha, State Legislative Assemblies, Legislative Councils and of President and Vice President of India, Elections are also held for local bodies such as municipalities, Municipal Corporations and Panchayati Raj institutions. If you have attained the age of 18, you must have voted in some of these elections. If not, you will have the opportunity to vote in the next round of elections. These elections are held on the basis of universal adult franchise, which means all Indians of 18 years of age and above have the right to vote irrespective of their Caste, colour, religion, sex or place of birth.

Election is a complex exercise. It involves schedules, rules and machinery. This lesson will have you a clear picture of the voting procedure, as also about filing of nominations, their scrutiny and the campaigns carried out by the parties and the candidates before actual polling. In this lesson you will read about the Election Commission, Electoral system in India and also some suggestions for electoral reforms.

## Objectives

After studying this lesson, you will be able to:

- Describe the composition of the Election Commission of India.
- Enumerate the functions the Election Commission and explain its role.
- Recall the procedure of election from the announcement of schedule, to the declaration of the result.
- Mention various stages in the electoral process.
- Recognize the poll-related officers and describe their functions.



- Identify the drawbacks and needs for electoral reforms.
- Suggest the electoral reforms and those already carried on.

## **I. Essay Questions and Answers**

**8 Marks**

### **1. What are the functions of Election Commission of India ?**

Ans. Democracy becomes successful and meaningful through the medium of elections. The constitution of India provides for an independent Election Commission to ensure free and fair elections to the Parliament, the State Legislature and the Officer of President and Vice President. This Commission was set up by the constitution article 324 of part 15 mentioned about the composition, powers and functions of the election Commission. At present, the election Commission consists of three members. Of the three, the first member acts as the Chief Election Commissioner, the remaining two members are called as Election Commissioners. They are appointed by the President of India on the advice of the Union Council of Ministers. Normally President appoints those who possess impartial attitude, honesty, wisdom and administrative experience. They shall continue in Office for a period of six years or up to the age of 65 years. Therefore, even if they are appointed by the President, they cannot be removed by him. They cannot be removed under normal conditions. The President of India removes them only when parliament approves a resolution to that effect with 2/3<sup>rd</sup> majority members present and voting.

#### **Powers And Functions Of The Election Commission:**

The Election Commission is ;an autonomous body. It has the following powers and functions.

1. The Election Commission determines the geographical area of a the constituencies as per the suggestions of delimitation commission.
2. If prepares the electoral rolls and remises them on the eve of every general election.
3. It publishes the electoral rolls and hears objections if any, on them.
4. If makes elaborate arrangements for conducting elections to the Offices of President and Vice President.
5. If conducts selections to the Union Parliament and State Legislative Assemblies/State Legislative Councils.
6. It appoints election observers and expenditure observers for conducting the elections on free, fair, impartial and honest manner.
7. It makes suggestions to the President in regard to the appointment of State Election Commissioners.
8. It also makes arrangements for conducting by elections and mid-term polls.
9. If supervise the matters concerning counting of votes declaration of results and issuing certificates to the winners on elections.

10. It allots election symbols to the various political parties, prescribes the mode of conduct to be followed by the parties, people candidates and election personnel in times of Elections.
11. It gives advice to the President of India in regard to the disqualification of members of Parliament/ State Legislature.
12. It formulates policy and allots time for canvassing of Political parties through radio and television in times of elections.
13. It makes inquiry into the undesirable incidents during elections.
14. It takes steps for avoiding rigging and booth capturing events with the help of the Police, Paramilitary and other forces.
15. It submits a list of successful candidates in elections to the President of India and Governors of the concerned States.

## **2. Explain briefly the electoral process followed during Lok Sabha or Assembly Elections?**

Ans. Democracy becomes successful and meaningful through the medium of Elections. Elections in India are conducted according to the procedure laid down by Law. The following process is observed.

**1. Notification For Elections:** The process of Election Officially begins when on the recommendation of Election Commission, the President in case of Lok Sabha and the Governor in case of Assembly issue a notification for the election. Seven days are given to candidate to file nomination. The 7<sup>th</sup> day the last date after the issue of notification excluding Sunday. Scrutiny of nomination papers is done on the day normally after the last date of filing nominations. The candidate can withdraw his nomination on the second day after the scrutiny of papers. Election is held not earlier than 20<sup>th</sup> day after the withdrawal.

### **2. Filing of Nomination:**

A person who intends to contest an election is required to file the nomination papers in a prescribed form indicating his name, age, postal address and serial number in the electoral rolls. The candidate is required to be duly proposed and seconded by at least two voters, registered in the concerned constituency. These papers are then submitted to the Returning Officer designated by the Election Commission.

**3. Security Deposit:** Every candidate has to make security deposit at the time of filing nomination. For Lok Sabha candidate has to make a deposit Rs.10,000/- Assembly Rs.5,000/- . But S.C .and S.T. candidates to deposit Rs.5,000/- to Lok Sabha Rs.2,500/- for Assembly elections. The Security deposit is forfeited if the candidate fails to get at least 1/6<sup>th</sup> of the total votes polled.

**4. Scrutiny and a withdrawal:** All nomination papers received by the Returning Officer are scrutinized on the day fixed by the Election Commission. This is done to ensure that all papers

are filled according to the procedure laid down and accompanied by required security deposit. The Returning Officer is empowered to reject a nomination paper, if it is not in proper. The second day after the security of nomination papers in the last date for the withdrawal of the candidate.

- 5. Election Campaign:** Campaigning in the process by which a candidate tries to persuade the voters to vote for him rather than others. During this period, the candidate try to travel through their constituency to influence as many voters as possible to vote in their favour. In the recent times, the Election Commission has granted all the recognized National and Regional Parties, free access to the State owned electronic media, the All India Radio and the dooradarishen to do their campaigning. A number of campaign techniques are involved in the election process some of these are. Holding of Public meetings, distribute of hand bills, highlighting the main issues of their election manifest, door to door appeal by influential people in the party and Broadcasting and telecasting of speeches by various political leaders. Campaigning Stops 48 hours before the day of polling.
- 6. Model Code of Conduct:** During the Campaign period the parties and the candidates to abide by a Code of Conduct evolved by the elections Commission. The code of conduct as follows:
  1. The political parties and contesting candidates should not use religious places for election campaign..
  2. Such speeches should not be delivered in a way to create hearted belonging a different religious, castes and languages etc.,
  3. Official machinery should not be used for election work.
  4. No men grants can be sanctioned and one cannot misuse mass media for partisan coverage.
- 7. Scrutinisation Of Expenses:** The Political parties and the candidates contesting election spend large of amount on their election campaign. The Election Commission has the powe4r to scrutinize the election expenses to be incurred by the candidate. There is a ceiling on expenses to be incurred in parliamentary as well as Assembly election. Every candidate is required to file an amount of his election expenses within 45 days of declaration of results. In case of default or if the candidate has incurred more than the prescribed limit, the Commission can take appropriate action and the candidate elected may be disqualified and his elections may be countermanded.
- 8. Polling, counting and declaration of Result:** In order to conduct polling, large numbers of Polling booths are setup in each constituency. Each booth is placed under the charge of Presiding Officer with the Polling Officers to help the process. A Voter casts his vote secretly. After the polling is over, ballet boxes are sealed in the presence of agents of the candidates. Agents ensure that no voter is denied right to vote , provided the voter turns up comes within the prescribed time limit.

**9. Electronic Voting Machines ( EVMs):** The Election Commissioner has started using temper proof electronic voting machines to ensure free and fair elections. Each machine has the names and symbols of the candidates in a constituency. One electronic voting machine can accommodate maximum of 16 candidates. If the number of candidates is very large ballot papers may be used. The machine is easy to operate, when the machine is used, the counting of votes becomes more convenient and faster. The EVMs were used in all the 7 Lok Sabha constituencies in Delhi in 1999, and later in all State Assembly constituencies. In 2004 General Elections EVMs were used all over the country for Lok Sabha elections.

## **II. Short Questions and Answers**

**4 Marks**

### **1. Write in brief the short comings of electoral system in India ?**

Ans. There has been universal appreciation of the Indian electoral system. But there is its weakness. It has been seen that in spite of the efforts of Election Commission to ensure free and fair elections, there are certain short comings of our Electoral system. They are:

1. **Money Power:** The role of unaccounted money in elections has become a serious problem. The political parties collect funds from companies, and then use this money to influence the voters. Many other corrupt practices are also adopted during election such as bribing, rigging, impersonation and providing transport and conveyance of voters to and fro the polling station. The reports of liquor being distributed in poor areas during elections.
2. **Muscle Power:** Earlier the criminals used to support the candidates by intimidating the voter at a gunpoint to vote according to their direction. Now they themselves have come out openly by contesting the elections leading to criminalization of politics. As a result violence during elections has also increased.
3. **Caste and Religion:** support of numerically Generally the candidates are given ticket by the parties on the consideration can muster the sularger castes and communities and possess enough resources. Even the electorates vote on the caste and communal lines. Communal loyalties of the voters are used at the time of propaganda campaign.
4. **Misuse of Government machinery:** All the political parties do not have equal opportunity in respect of access to resources. The party in power is always in advantage position than the opposition parties .There is widespread allegation that the party in power accomplishes misuse of Govt. machinery.

All these features lead to violence, booth capturing, rigging bogus Voting, forcible removal of ballot papers, ballot boxes burning of vehicles etc. which result into loss of public faith in elections.

### **2. Explain the Electoral Reforms in India.**

Ans. In order to restore the confidence of the public in the democratic electoral system, many electoral reforms have been recommended from time to time by Tarkunde Committee and Go swami

Committee which are particularly appointed to study and report on the scheme for Electoral reforms in the year 1974 and 1990 respectively. Some of the reforms which have been implemented so far are as follows:

1. The voting age has been lowered from 21 years to 18 years. This has helped Increase the number of voters and response confidence in the youth of the Country.
2. Another land mark change has been the increase in the account of security deposit to prevent many non-serious candidates to contesting the elections.
3. The Photo identity cards have been introduced to eradicate bogus voting or impersonation.
4. Introduction of electronic voting machines to avoid rigging and bogus voting in the elections.

There is no doubt India needs drastic poll reforms but still the fact remains that Indian elections have been largely free and fair and successfully conducted. It gives the country the proud distinction of being the largest the world.

### **3. What is the mid term polls? When an election is countermanded?**

Ans. when the parliament or State legislature is dissolved before the stipulated period, the fresh elections in termed as mid term poll. An election is countermanded when a candidate put up by a recognized political party dies before the start of the voting, the election of that constituency is countermanded, when the election Commission ;is satisfied that a large scale of booth capturing has effected the counting of votes of the whole constituency. It can counter mended the election of the whole constituency.

### **4. Explain the powers of Chief Election Commissioner.**

Ans. The Chief Election Commissioner is the head of the Election Commission. The President appoints him. The Chief Election Commissioner continuation Office up to the age of 65 years or for a period of six years whichever is earlier. Mean while he may resign to his office by submitting the resignation to the President of India. He cannot removal under normal circumstances. However the President can remove him consequent on an address of the parliament.(Like in the case of Supreme Court Judges). The Chief Commissioner has following powers and functions.

1. Preparation of voters list for the purpose of conducting elections.
2. Appointment of various special Officers for the supervision of the Regional Electoral Officers.
3. Rendering advices to the President of India in the appointment of the Regional Electoral Officers.
4. Settlement of Election disputes.
5. Determination of timings for canvassing of parties Radio and T.V. in times of Elections.
6. Visit of various States for supervising the election arrangements.

7. Declaration of any candidate as ineligible when the higher courts issue proclamation to that effect.
8. Enquiry into the defections of members on the request of President or State Governor etc.,

### **5. Explain the features of Electoral system in India?**

Ans. The Electoral system of India is largely based on the British pattern. The features of the electoral system in India are::

1. The elections have constitutional base.
2. It is based on universal adult franchise, which means that all citizens above the age of 18 years are entitled to participate in elections provided they have registered themselves as voters and fulfill the prescribed conditions.
3. There is a single electoral body and the system of communal representation, which existed in the pre-independence period has been done away with.
4. There is provision for reservation of seats for scheduled caste and schedule tribes, but these members are elected through joint electorate.
5. Representation is based on the territorial principle. There is common electoral roll each constituency.
6. Voting is held through secret ballot.
7. The constitution provides for an independent election Commission, which is responsible for free and impartial elections.
8. Elections are held on the basis of single member constituencies and only one representative is elected from each constituency.
9. Political parties are an indispensable part of the electoral process and serve as an important link between the people and the Government.
10. There is provision for election partitions to resolve the disputes regarding elections. The aggrieved candidates can file petitions in the High Court or ;the Supreme Court and if the Court finds the charge correct, the election is declared invalid.

## **III. Very Short Questions and Answers**

**2 Marks**

### **1. Explain the duties of the Returning Officer.**

Ans. In every constituency one Officer is designated as Returning Officer by the Commission in consultation with the concerned State Government. All the nomination papers are submitted to the Returning Officers, Papers are scrutinized by him, and if they are in order, accepted by him. Election symbols are allotted by him in accordance with the directions issued by the Election Commission. He also accepts withdrawal of the candidates and announces the final list. He supervises all the Polling booths, votes are counted under his supervision and finally result is

announced by him. In fact the Returning Officer is the overall in charge of the efficient and fair conduct of elections in the concerned constituency .

## **2. Universal Adult Franchise.**

Ans. The makers of the Indian constitution provided for the Universal Adult Franchise for all citizens without any discrimination based on caste, colour, creed, community, language, religion, region, sex, property etc., At the beginning , the right to vote was given to all the citizens, who attained age of 21 years. Later the voting age was reduced to 18 years.

## **3. Presiding Officers**

Ans. Every constituency has a large number of Polling booths. Each polling booth on an average seat to about a thousand votes. Every such booth is under the charge of an Officer who is called the Presiding Officer. He supervise the entire process polling in the Polling booth and ensures that every voter gets an opportunity to cast vote freely. After the polling is over he seals all the ballot boxes and deliver them to the Returning Officer.

## **4. Polling Officer**

Ans. Every presiding Officer is assisted by three to Four Polling Officers. They check the names of the voters in the electoral roll, put ;indelible ink on the finger of the voter, issue ballot paper and ensure that votes are secretly cast by each voter.

## **5. Indelible ink**

Ans. This ink cannot be removed easily. It is put on the first finger of the right hand of the voter so that a person does not come again to cast vote for the second time. This is done to avoid impersonation.

## **6. General Elections**

Ans. The elections held for parliament and State Legislative Assembly at regular intervals of five years are known as general elections. It may be noted that elections to Lok Sabha are invariably described as General Elections, irrespective of the fact that the previous Lok Sabha ran its full term or was dissolved before the expiry of its normal term.

## **7. Mid-term elections**

Ans. The elections which are held out of scheduled due to dissolution of the Parliament or State Legislature are known as mid-term elections.

## **8. By- Elections**

Ans. The elections held to fill up a seat rendered vacant due to death, resignation or any other disqualification of a member.

## **9. Election Manifesto**

Ans. It is a formal statement of the programmes and objectives of a political party. It contains the programmes and promises of the party and is issued with the intention to secure the support of the largest member of voters.



### 10. Electronic Voting Machines

Ans. (EVMs) The representation of the people act 1951 and the conduct of Election Rules 1961 were amended in 1989 and 1992 respectively making detailed provisions for the use of EVM's in the Elections. Elections commission took decision in November, 1998 to use EVM's on small scale. As the experiment proved successfully, these machines were used extensively in subsequent election is. In the General Elections of 2004 (April/ May) EVM's were used in all Parliamentary constituencies.

### 11. Delimitation of Constituencies

Ans. It implies redrawing of the boundaries of Parliamentary and State Assembly constituencies to ensure that there are, as near as practicable, the some number of people in each constituency. This exercise is carried out after ten years census by the delimitation commission consisting of the Chief Election Commissioner and two judges or ex-Judges of Supreme Court or High Court. However in 1976 a constitutional amendment was carried out which suspended delimitation of constituencies until after the census of 2001. The 84<sup>th</sup> constitutional amendment carried out in 2001 extended the freeze for another 25 years. Viz. up to 2026.

### 12. Write the composition of Elections Commission.

Ans. The Election Commission consists of the Court Election Commissioner and such other Election Commissioners as many be decided by the President from time to time . Ever since the first Election Commissioner was appointed 2950. The Election Commission became a multi member body on 16 October,1989 when the President appointed two more Election Commissioners. They are appointed for a term of six years or till the age of 65 years whichever is earlier.

## IV. One Word Questions and Answers (In Text Questions)

- 1) Responsibility for conducting free and fair elections rests on.
  - (a) The Chief Justice of India
  - (b) **The election Commissioner**
  - (c) The President
  - (d) The comptroller and Auditor General.
- 2) The Chief Election Commissioner is appointed by:
  - (a) The Chief Justice of India
  - (b) **the President**
  - (c) the Law Minister.
  - (d) The Law Minister.
- 3) The Chief Election Commissioner is appointed..... years. (Four/Five/**Six**)
- 4) The procedure for the removal of Chief Election Commissioner is the same as that of the.....  
(Speaker of the Lok Sabha /**Judge of the Supreme Court**/The Prime Minister of India)
- 5) Match the following symbols with the respective Political parties.

(a) BJP	<b>Lotus</b>
(b) Indian National Congress	<b>Hand</b>
(c) Telugu Desam	<b>Cycle</b>

- 6) Which of the following is referred to as Mid-term election.
  - (a) The election held in middle of the year.
  - (b) The election held out of schedule.
  - (c) The election held any time during the term when ruling party loses a vote of confidence**
- 7) Which of the following is essential to be Voter ?
  - (a) The person should be 21 years of age.
  - (b) The person should be a citizen of India.
  - (c) The person should have passed secondary Examination.
8. Who issues the notification for election?
  - (a) Election Commission
  - (b) Returning Officer
  - (c) President**
9. Which day is the last date for filing nominations?
  - (a) 4<sup>th</sup> day
  - (b) 5<sup>th</sup> day
  - (c) 7<sup>th</sup> day.**
10. Election schedule is spread over:
  - (a) 7<sup>th</sup> day
  - (b) 20 days
  - (c) 1 month.**
11. Nomination papers should be duly proposed and seconded by:
  - (a) 2 voters of the concerned constituency.**
  - (b) 3 voters of any constituency.
  - (c) 4 Voters of the concerned constituency.
  - (d) 6 voters of the concerned constituency.
12. Campaigning is stopped.
  - (a) 12 hours before the polling
  - (b) 24 hours before the polling
  - (c) 48 hours before the polling.**
13. The Polling booth is manned by the
  - (a) a Polling Officer**
  - (b) Returning Officer
  - (c) Presiding Officer.
14. The Electronic voting machine can accommodate a maximum of
  - (a) 10 candidates
  - (b) 16 candidates**
  - (c) 20 candidates.
15. Some of the notable short comings of the Indian Electoral Systems are:
  - (a) Money power**
  - (b) Muscle power**
  - (c) Roll of case and religion**
  - (d) Misuse of govt. machinery.**
16. The most significant electoral reforms implemented in India are:
  - (a) Lowering of voting age**
  - (b) Increasing the amount of security deposit.**
  - (c) Introduction of photo identity card**
  - (d) Introduction of Electronic voting machines.**

## National Political Parties

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### Introduction

In this lesson you will study about political parties. Political parties exist in every democratic society and even in authoritative systems. In a political system, parties act as the carrier of ideas, opinions and approaches to social needs and national goals. Parties provide a link between the citizens and the Government, between the electorate and the representative institutions. In fact a successful democracy requires a healthy party system for its sustenance. Political parties are instruments through which citizens choose those who constitute the Government. They explain merits and dangers of alternate politics and provide political education to the citizens.

### Objectives

After studying this lesson, you will be able to :

1. Recognize the importance of political parties.
2. Identify the different types of party system.
3. Recall the features of Indian party system.
4. Distinguish between National and regional parties.
5. Describe the idea and objectives of major national parties.
6. Appreciate the role of these National parties in sustaining India's democratic system.

### I. Essay Questions and Answers

**8 Marks**

#### 1. Describe the essential features of a Political party ?

Ans. A political party is an organized body of people who share certain common principles and goals regarding the political system of a country. There are five features of Indian party system. Starting

from a single party in 1885, party system in India has passed through various steps and is heading towards full development. Five main features of Indian party system are given below:

- 1. Multi party system:** There are many political parties active on the Political scene in India. Soon after independence the first General Elections were held in 1952. In this election 4 all Indian parties had participated in the elections. The number increased thereafter. In 1984, there were seven all India parties in the field in Lok Sabha elections in addition to many regional parties. In November 1989 Lok Sabha elections there were 8 all India parties in the field. In 1998 General Election there were 7 National parties in the field and no party could get absolute majority. There are so many parties that participate in the General elections that become difficult to remember them. Since 1996 coalition Governments have been in existence in India.
- 2. One Dominant party system for a long time:** Indian party system is multi party system with dominant party. The Congress has been dominating the political scene at the centre. It was voted out of power only twice, once in 1977 and the second time in November, 1989. But Janatha Party Government 1977 could not complete its full term. Mid term poll had to be held in 1980 when the congress party was voted to Power again. V.P.Singh, Govt. installed in December, 1989 also could not complete one year and was voted out in the Lok Sabha in November, 1990. Mid Term polls were held in May-June 1991. In the States also the congress party has dominated, the political scene. It was in 1967 that the Congress was voted out of power in nine states and 1977 at the centre.
- 3. Ideological Vagueness:** It is very difficult to make distinction between the political parties on ideological basis in India. It is not easy to find difference between the ideologies of congress (I) Congress (s), Janatha party and other socialist parties. All stands for socialist pattern of Society secularism and upliftment of the poor. It is also not easy to make ideological difference between CPI and CPM. The reason is that most of the parties are break –away because of differences between the leaders on one point or the other. Whenever an influential leader could not have his stay in the party, he formed another party of a similar title. In November 1990, Janatha Dal was split and the Break away group assumed the name of Janatha Dal (S)
- 4. Parties based on personality cult:** Most of the parties in India are based on personality cult. Congress (I) means congress (Indira Gandhi) which means the congress party led by Mrs. Indira Gandhi. Congress (J) was a party led by Mr. Jagjivan Ram. Janatha party is split into many groups named after the leader. Lok Dal was a party led by Charan Singh. A leader of the party generally leads till his death and does not let other persons to be elected its leader. The parties function according to the wishes of their leaders not according to same system or organization.
- 5. Recognized oppositions:** Recognized opposition is a special feature of Indian party system. In the legislature the leader of the opposition is recognized officially if its strength is one tenth or more of the total membership of the house. The recognized leader of opposition given rank of a Cabinet minister.

## **2. Explain the Evolution of party system in India ?**

Ans. The evolution of Indian party system can be traced to the formation of the Congress, as a political platform in 1885. Other parties and groups originated later. After independence and with the adoption of a democratic constitution, a new party system emerged in the wake of the first general elections based on universal adult franchise in 1952. During the post independence period, the party system passed through various phases.

The first phase is known as the phase of one party dominion because with the exception of Kerala during 1956-59, the ruling party both at the centre and in the states was the Congress. The second phase (1967-1975) saw the emergence of a multi-party system in India. In the Assembly elections in 1967, Congress was defeated in eight states. For the first time non-Congress parties formed Governments in these States. These parties formed coalition Government. Then came the split in Congress into Congress (O) and Congress (N). However, the Congress again became a dominant force at the centre after winning 1971 mid term poll. Then came the emergency period (1975-77) which is known as the authoritarian period of Indian democracy. With the lifting of emergency, the dominance of Congress ended. In the General elections of 1977 Congress was defeated by the Janata Party. Janata Party came into existence as a result of the merger of many opposition parties. But again in 1980 general elections Congress came back to power and remained in power till 1989.

In 1989 elections, the National Front joined Govt. with the support of BJP and the left front. But in the 10th Lok Sabha elections in May, June, 1991, Congress again formed Govt. at the centre. In 1996 General elections BJP emerged as the single largest party and was asked to form Govt. at the Centre. Since it could not prove its majority within the given time it had to resign. The United Front which was a combination of thirteen parties, formed this Govt. at the Centre with the external support of the Congress and the CPI (M). But this Govt. also could not last its full term. Although the coalition Govt. formed under the leadership of BJP after 1998 elections was defeated in Lok Sabha, the 1999 elections again provided them the opportunity to form Govt. which lasted its full term. Under multi party coalition, known as National Democratic Alliance (NDA).

In the 14<sup>th</sup> general elections held in 2004, Congress emerged as the single largest party. It formed alliance with like minded parties and formed Govt. at the centre. The phase of Indian party system which began in 1989 and is still continuing has been aptly called a phase of coalition politics. No single party has been able to form Govt. on its own at the centre.

## **3. Discuss about the major National Political Parties of India?**

Ans. There are broadly speaking two types of Political parties in India. National and Regional. The party which secures 6% of the votes polled in four or more states in accorded recognition as a national party by the Election Commission. At present Six political parties have been recognized as All India or National Political parties. They are Indian National Congress, Bharatiya Janata Party, C.P.I. C.P.I.(M) Bahujana Samaj Party and Nationalist Congress Party.

- 1. Indian National Congress:** Indian National congress was formed in the year 1885 in Bombay. W.C.Benarjee was the first President of the Congress. In the twenties under the leadership of Mahatma Gandhi, the congress became a mass based organization.

After Independence Jawaharlal Lal Nehru became the Prime Minister and led the congress till his death in 1964. The congress party won first five general election in 1952, 1957, 1962, 1967 and 1971. In 1975 National emergency was declared which went on till 1977. In elections of 1977, the Congress was defeated. However in 1980 elections the congress party led by Indira Gandhi came back to power. Indira Gandhi was associated in 1984 and during 1985 elections, Rajiv Gandhi was assassinated in 1984 and during 1985 elections, Rajiv Gandhi was the leader of the party. In 1989 congress could not get absolute majority. It was the single largest party. In 1991 congress again emerged as the single largest party and formed the Govt. at the centre. In 1996 congress could not form Govt. at the centre. In 1998 congress could get only 140 Lok Sabha seats, in 1999 elections congress strength was reduced to 112. But in the 14<sup>th</sup> general elections congress entered into alliance with other secular parties to form a coalition Government.

- 2. The Bharateya Janatha Party (BJP):** The Bharateya Janatha Party was formed in 1980. Since then it has extended its influence in the Hind belt, since 1989 it has been trying to extend its base in South India also. The BJP has been increasing its number of seats in the Lok Sabha gradually. In 1984 elections it secured only two seats in 1989 its seats increased to 88. In 1989, elections BJP's strength to 112, which rose to 161 in 1996 elections. In 1998 it won 180 seats and in 1999 it increased to 182. In the 1999 elections, BJP contested as an alliance partner in the N.D.A. National Democratic Alliance. In 2004 elections, the NDA could not get the required majority. It is playing the role of the opposition party. The BJP has emerged as a significant National Party in India.
- 3. The Communist Parties:** The Two communist parties are the communist party of India (CPI) and the communist party of India (Marxist) CPI (M). Next to the congress the communist party is the oldest in India. The communist movement began in the early twenties and the communist party was founded in 1925. The communists were the main opposition in the Lok Sabha throughout the Nehru era. In the first Lok Sabha they had 26 members. In the early sixties specially after the Chinese aggression of 1962 there were serious differences among the party members. As a result, the party split into two. Those who broke away from CPI, formed CPI (M) in 1964. In the Lok Sabha elections of 2004, both the CPI and the CPI (M) were alliance parties of the congress. They are supporting the United Progressive Alliance (UPA) government at the centre from outside.
- 4. Bahujana Samaj Party (BSP):** The BSP acquired the status of a National party in 1996. The BSP champions the cause of those sections which belong to low castes, deprived groups and minorities. In fact these sections of Society, the majority of the Indian population. The BSP believes that this "Samaj" should be freed from the exploitation of the upper castes; and by forming their own government. In 1995 and 1997 BSP was partner in the coalition Govt. in Uttar Pradesh.



## II. Short Questions and Answers

4 Marks

### 1. Explain the meaning and role of Political parties ?

Ans: A political party is an organized body of people who share certain common principles and goals regarding the political system of a country. The main purpose of political parties is to acquire and retain political power. Political parties which run the Govt. are called the ruling party. In a coalition Govt. there may be more than one ruling party. Those who sit in the opposition and criticize and analyze the performance of the ruling party are called opposition parties. A political party as such should have the following essential features.

1. It must be an organized body of people with a formal membership.
2. It must have clearly spelt out policies and programmes.
3. Its members should agree with its ideology, policies and programmes.
4. It must aim getting power through the democratic process.
5. It must have a clear and acceptable leadership, and
6. It must focus on broad issues and major areas of Government policies.

### 2. What is meant by National Party and Regional Party ?

Ans: **National party or All India Parties.** There are two types of political parties in India National parties or All India parties and State parties or regional parties. All India parties are those parties which cover national and international issues and form their politics and programmes on them and have influence and backing in the whole country or in almost all the States. They contest elections of the Parliament as well as for the State Assemblies and even the local bodies. But their number is very small. These are parties like Congress (I) BJP, CPI, CPI (M) Bahujana Samaj party. There are recognized national parties.

**State Parties or Regional Parties:** State Parties or regional parties are those, which cover only the regional issues and have, influence and backing in one State or two. They generally confine their attention to State politics, such parties are DMK and AIDMK of Tamil Nadu, National conference of J & K. Akalidal of Punjab, Biji Janatadal of Orissa, and Telugu Desam in A.P. Indian National Lok Dal of Haryana. Their area of influence is the State or region. At National Level they do not count much. But in and after 1996 they are playing a weighty role in national politics also. In several parties have captured power also.

### 3. What do you know about the policies of Indian National Congress?

Ans: Indian National Congress was formed in the year 1885 in Bombay, W.C. Benarjee was the first President of the Congress. In the twenties under the leadership of Mahatma Gandhi the Congress became a mass based organization. After independence Jawaharlal Nehru became the Prime Minister and led the Congress till his death in 1964. The Congress party won five General elections in 1952, 1957, 1962, 1967 and 1971. In 1975 National Emergency was declared which went on till 1977. In elections of 1977, the Congress was defeated. However in 1980 elections the Congress party led by Indira Gandhi came back to power. Indira Gandhi was



assassinated in 1984 and during 1985 elections, Rajiv Gandhi was the leader of the party. In 1989 congress could not get absolute majority, it was the single largest party and formed the Government at the centre. In 1996, congress could not form Govt. at the centre. In 1998 congress could get only 140 Lok Sabha seats, in 1999 elections Congress strength was reduced 112. But in the 14<sup>th</sup> general elections congress entered into alliance with other secular parties to form a coalition Government.

#### **4. Briefly explain about the policies of Bharateya Janatha Party?**

Ans: The Bharateya Janatha Party was formed in 1980, since then it has extended its influence in the Hind belt, since 1989 it has been trying to extend its base in South India also. The BJP has been increasing its number of seats in the Lok Sabha gradually. 1984 elections it secured only two seats, in 1989 its seats increased to 88. In 1989 elections, BJP's strength is 122, which rose to 161, in 1996 elections. In 1998 it won 180 seats and in 1999 its increased 182. In the 1999 elections, BJP contested as an alliance partner in the NDA National Democratic Alliance. In 2004 elections the N.D.A. could not get the required majority. It is playing the role of the opposition party. The BJP has emerged as a significant National Party in India.

#### **5. Briefly explain the policies of the communist (Marxist) party of India.**

Ans: The Communist (Marxist) party of India was formed in 1964 at the Vijay Wada meeting due to split in the communist party of India. Star wars like P.Sundarayya, Jyothi Basu, E.M.S.Nambodri Pad, and Ramadev joined this party. The extremists who joined this party strongly favored for continuation of relations with the Chinese communist party led by Mao-tse-Tanag. The party CPI (M) rejected the idea of parliamentary Socialism as pronounced by the Communist party of India (CPI). The CPI(M) strongly believed that it can only establish a real socialist system in India. The party secured 19 seats in 4<sup>th</sup> Lok Sabha, 25 seats in 5<sup>th</sup> Lok Sabha, 22 seats in 6<sup>th</sup> Lok Sabha, 35 seats in 7<sup>th</sup> Lok Sabha, 32 seats in 13<sup>th</sup> Lok Sabha respectively. It has the following policies. Adoption of scientific socialism, safe guarding democratic values, provision of trade Union right of laborers, fixation of minimum wages and speedy implementation of land reforms etc.,

#### **6. Explain main features of the Party system in India?**

Ans: Political parties are an indispensable part of any democratic system. Main features of the party system in India.

1. It is a multi party system. At present there are over 50 political parties in the country.
2. Most of the political parties are organized on the basis of other than economic and political programmes.
3. The membership of the political parties is very limited as compared to political parties in other advanced democratic countries.
4. There are laxity of discipline among the members of political parties and there is a tendency on the part of party members to shift from one party to another. This is largely due to similarity of programmes of various political parties.

5. A large number of political parties in India have been formed around certain leaders, who occupy a dominant position with the party.
6. The number of regional political parties in the country far exceeds the number of national parties.

Political parties in India have tended to give greater importance to their party Interests rather than national interests.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. Define a political party ?**

Ans: Political parties are the life and breath of democracy. Edmund Burke defined “ Political parties as a “ Body of men united for promoting by their joint endeavor the national interests up on some political principles in which they are agreed.

#### **2. What are all India parties ?**

Ans: Political parties in India are classified into National parties and State parties. A National Party is one which secures four percent of votes polled in four or more states in the country fulfilling the criteria of the elections commission. They are Indian National Congress, Bharateya Janatha Party, Communist Party in India, Bahujana Samaj Party.

#### **3. How are parties classified in India?**

Ans: There are broadly speaking, two types of political parties in India. National and regional. A political party is regarded as a national party if it secures four percent of the votes polled in four or more states. On the other hand, a party is regarded as a regional party if it secures four percent of the polled votes in any one State.

#### **4. Explain the registration of Political parties ?**

Ans: All the political parties have to get themselves registered with the election Commission. This Registration can be cancelled by the Election commission in case of failure of the political parties to observe the modal code of conduct. The Commission can also withdraw recognition from parties if they fail to follow the lawful directions and instructions of the Commission, regarding free, fair and peaceful elections.

#### **5. Mention any two reasons for the emergence of regional parties in India ?**

Ans: Regional parties occupied a prominent place in India politics. They are formed for solving certain local problems. Hence they may not take active part in the national affairs. Several reasons mentioned for origin and growth of regional parties in India.

1. Regional parties emerged due to the failure of the National parties. National parties ignored many times to solves problems of the people.
2. Economic disparities among the states also led to the formation and growth of regional parties.
3. The Personality and influence of regional leaders also led to the growth of regional parties in India. These leaders readily responded to the needs and problems of the people.

#### 6. Explain types of party system?

Ans: India has a multi party system. There are countries where there is one party system or two party system. East while Soviet Union and Yugoslavia had single party systems. Similarly China Germany exited one party system. In a two party system there are two main political parties, the U.K, the U.S.A. Australia and Newzeland have bi-party systems. Japan, France, Switzerland and Germany have multiparty system.

### IV. One Word Questions and Answers (In Text Questions)

#### Fill in the blanks:

1. Erst while Soviet Union had..... (**One party system**/multi party system)
2. Germany has a..... (bi-party system/multi party system.)
3. Two main parties of the UK are..... ( **Conservatives party and Labour party**/Democratic and Liberal parties)
4. The phase 1952-1967 in the Indian party system is known as **one party Dominance**.
5. From 1975 to 1977 was known the **authoritarian** period.
6. From 1977to 1988 is known as the Janatha Party phase of **Coalitional** politics.
7. The United front government was a combination of **thirteen parties**.
8. National party should have secured four percent valid votes in at least.....States (**four** /five).
9. CPI is a .....party (**national**/regional)
10. DMK is a .....Party .(National /**Regional**)
11. National conference is a .....party. (National /**Regional**)
12. Indian National Congress was formed in the year.....(**1885**/1895/1975)
13. Under Mahatma Gandhi's leadership congress became an organization of the ..... (**Common people**/moderate/rich)
14. National Emergency was declared in..... **1975**/1976/1977)
15. In the 1984 general elections BJP secured.....seats. ( **2**/3/4)
16. CPI formed its first State Government in the State of.....(**Kerala**/West Bengal/Andhra Pradesh)
17. BSP's influence lies in the State of.....(**Uttar Pradesh**/West Bengal)
18. A political party is a organized body of people whose main aim is to.....(**acquire and retain power**/pressurize Government )
19. Members of a political party ..... common principles, goals and philosophy (**Share**/don't share)
20. Parties serve as a link between the.....and the Government. (**citizens** / institutions)



## Regionalism and Regional parties

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### Introduction

One of the notable features of the Indian Party System is the presence of a large number of regional parties. By regional party we mean a party which generally operates within a limited geographical area and its activities are confined only to a single or handful of states. Further as compared to the broad ranging diverse interests of national parties, the regional parties represent the interest of a particular area. In simple words, regional parties differ from All India parties both in terms of their outlook as well as the interests they pursue. Their activities are focused on specific issues concerning the region and they operate within the limited area. They merely seek to capture power at the State or regional level and do not aspire to control the national Government. It is noteworthy that in India, the number of regional parties is much larger than the national parties and some of the States are being ruled by the regional parties viz. Andhra Pradesh, Tamil Nadu, Karnataka, Assam, Jammu & Kashmir etc.

### Objectives

After studying this lesson, you will be able to:

- Analyses the factors responsible for the growth of regionalism;
- determine the factors instrumental for the growth of regional parties;
- create awareness about the role of regional parties;
- distinguish a regional party from a national party;

### I. Essay Questions and Answers

**8 Marks**

#### 1. Discuss the cause for the growth of regionalism in India ?

Ans: “Regionalism means” strong attachment to a particular region or a state as against the country as a whole” – In India a number of factors have constituted to growth of Regionalism, because of there are number of languages or cultural Ideologies, pattern for growth of regionalism.

### **Causes for growth of regionalism :**

1. Regionalism made its appearance as a reaction against the efforts of the national government to impose a particular ideology, language or culture , pattern on all people or groups. For example the States of South have resisted imposition of Hindi as official language because they feared this would lead to dominance of the North. Similarly, in Assam anti-Foreigner movement.
2. Continuous neglect of an area or region by the ruling parties and concentration of administrative and political power has given rise to demand for decentralization of authority and bifurcate of unilingual states. On occasions sons of soil theory has been put forth to promote the interests of neglected groups or areas of the state.
3. The desire of the various units of the Indian Federal system to maintain their sub-cultural regions and greater degree of self-Government has promoted regionalism and given rises to demands for greater autonomy.
4. The desire of regional elites to capture power has also led to rise of regionalism . It is well known that political parties like DKM, AIDMK, Akalidal, Telugu Desam, Asom Gana Parishad etc. have encouraged regionalism to capture power.
5. The interaction between the forces of modernization and mass participation have also largely contributed to the growth of regionalism in India.
6. As the country is still away from realizing the goal of a nation state, the various groups have failed to identify their group interest with National interests , hence the feeling of regionalism has persisted.
7. The growing awareness among the people of backward areas that they are being discriminated against has also promoted feeling of regionalism.
8. The local political leaders have fully exploited the above said factor and tried to feed the people with the idea that the Central Government was deliberately trying to maintain regional imbalances by neglecting social and economic development of certain areas.

## **II. Short Questions and Answers**

**4 Marks**

### **1. Explain the meaning of regionalism? Why is it dangerous?**

Ans: Regionalism means” Strong attachment to a particular region or a State as against the country as a whole” This feeling arises either due to the continuous neglect of a particular area or because the people of a particular region become politically aware and seek to fight perceived discrimination.

The term regionalism” has two connotations. In the negative sense, it implies excessive attachment to one’s region is preference to the country or the state. I the positive sense it is a political attribute associated with people’s love for their region, culture, language etc., With a view to maintain their independent identify while positive regionalism is a welcome thing in so far maintaining as it encourages the people to develop a sence of brotherhood and commonness on the basis of common language, regionalism is a great threat to the unity and integrity of the country. In Indian context regionalism has been used in negative sence.

**Why is it dangerous:** There are two prominent manifestations of regionalism are; (a) agitation for separate statehood, Examples: demand for Telengana, Bodo-land (Assam) Gorkha land etc. and. b) Secession from the Indian Union, for example – demand for khalistan, demand for Nagland. Etc.

## **2. Discuss the different forms of regionalism.**

Ans: Regionalism means “strong attachment to a particular region or a state as against the country as a whole”

**Different form of regionalism:** Regionalism in India has assumed various forms like.

- (a) **Demand for State autonomy:** Regionalism has often led to the demand by states for greater autonomy from the centre. Increasing interference by the Centre in the affairs of the states had led to regional feelings. Demand for autonomy has also been raised by regions within some states of the Indian Federation.
- (b) **Secession from the Union:** This is a dangerous form of regionalism. It emerges when states demand separation from the centre and try to establish an independent identity of their own.

Disputes between States over the sharing of river water, primacy given by the States to the language of majority and to people of their own states in job opportunities have also given rises to felling of regionalism. For example, problems going on in Karnataka and Andhra Pradesh hostile attitude against “migration of people”.

## **3. Discuss the role of regional parties?**

Ans: Though the regional parties operate within very limited area and pursue only limited objective, they have played significant role both in the State as well as national politics. Significant role both in the State as well as national politics. The regional political parties formed Governments in several states and tried to give concrete shape to their policies and programmes. Some of the important regional parties which formed Governments in various states include DMK and AIDMK in Tamilnadu, National conference in Jammu and Kashmir, Telugudesam in Andhra Pradesh, Asom Gana Parishad in Assam, Maharasthrawadi Gomatak party in Goa, Mizo National Front in Mizoram, Sikkim Sangram Parishad in Sikkim. All party Hill leaders conference in Meghalaya and Indian National Lok Dal (INLD)

In Haryana.

### **Role of Regional parties.**

1. Some of the regional parties were also partners in the coalition Government formed in several states after the Fourth General elections of 1967.
2. At the centre also, of late the Regional parties have been able to play critical role in helping formation of congress government.
3. DMK a regional party supported Mrs. Indira Gandhi’s Government after split in the party in 1969.

4. Telugu Desam was the pillar of strength for United Front and later National Democratic Alliance.
5. The representatives of the regional parties focus the attention of the Parliament on issues in their region and try to influence the policies of the Government to promote their own interest.
6. Regional political parties have focused the attention of the people in remote areas on various political and economic issues and contributed to their political awakening.

#### **4. Discuss the development of regionalism in India.**

Ans: Regionalism is not a new phenomenon in the Indian political system, but it is encouraged by the Britishers in pre independence days, in terms of their region matter them the nation as a whole with a view to maintain their hold over the India during National Movement. After independence the leaders tried to foster a feeling among the people that they belonged to single Nation. The Framers of the Indian constitution introduced single citizenship for all. With the same objective a certified judiciary, all India services a strong Central Government was provide. But in view of the vastness of the country and cultures regionalism soon made its appearance in India.

#### **Development Of Regionalism In India**

1. The first manifestation of regionalism was the demand for reorganization of states of linguistic basis, but the most effective play of regionalism was the victory of the DMK against congress in Tamil Nadu in 1960s.
2. Soon in Punjab the Akali movement gained momentum while in Jammu and Kashmir Shaikh Abdullah revived the National conference.
3. The Indian National Congress which enjoyed monopoly of power between 1947-1967 and followed a policy of blowing hot and cold toward the regional forces, also contributed to the growth of regionalism in India.
4. The local congress leaders also encouraged the growth of regionalism and strengthened their hold on local party organization.
5. In fact a close link developed between Central and local leadership. This close link between the Central and regional leadership greatly encouraged the growth of regionalism.

#### **5. Discuss the measures for correcting Regional imbalances.**

Ans: Regionalism has been important aspect of Indian politics. Sometimes, it has posed threat to the unity of the country. Hence it is necessary to take steps to reduce such tendencies. Some such measures can be.

To promote even development of the hitherto neglected areas so that they feel a part of the national mainstream.

The Central Government must not interfere in the affairs of the State unless it is unavoidable for national interest.

Problems of people must be solved in a peaceful and constitutional manner. Politicians must not be allowed to misuse of regional demands.



Except for issues of national importance, the states should be given freedom to run their own affairs.

Changes are necessary in the Central-State relations in favour of the States, and for introducing a system of national education in that would help to overcome regional feelings and develop an attachment towards the nation.

### III. Very Short Questions and Answers

2 Marks

#### 1. What is meant by regionalism.

Ans: "Regionalism means" strong attachment to a particular region or a state as against the country as a whole". The term regionalism has two connotations. In the negative sense it implies excessive attachment to one's region, in the positive sense it is a political attribute associated with people's love for their region, culture, language etc. with a view to maintain their independence identity.

#### 2. What are the different forms of Regionalism.

Ans: Regionalism in India has assumed various forms like:

**Demand for state Autonomy:** Regionalism has often led to the demand by states for greater autonomy from the Centre..

**Secession from the Union:** It emerges when states demand separation from the centre and try to establish an independent identity of their own.

#### 3. Write any two causes for the growth of Regionalism.

Ans: Regionalism made its appearance as a reaction against the efforts of the

National Government to impose a particular ideology, language or cultural pattern on all people and groups.

Continuous neglect of an area or region by the ruling parties and concentration of administrative and political power has given rise to demand for decentralization of authority and bifurcation of unilingual states; etc.

#### 4. Write two developmental aspects of Regionalism in India.

Ans: The first manifestation of demand for reorganization of states on linguistic Basis.

The Indian National Congress which enjoyed monopoly of power between 1947-1967 and followed a policy of blowing hot and cold towards the regional forces.

**WRITE ANY THREE MEASURES FOR CORRECTING REGIONAL IMBALANCES:**

To promote even development of the hitherto neglected areas so that they

They feel a part of the national mainstream.

The Central Government must not interfere in the affairs of the State unless it is unavoidable for national interest.

Except for issues of national importance, the states should be given freedom to run their own affairs.

#### **IV. One Word Questions and Answers (In Text Questions)**

##### **Intext questions – 20.1**

Fill in the blanks:

1. In the positive sense regionalism is people's love for their ..... and ..... (Region, culture and language)
2. Regional party means a party who operates within a limited ..... area (Geographical)
3. In India we have ..... number of regional parties (larger)

##### **B) Intext questions 20-2.**

True or false. 20-2

1. Regionalism has often led to the demand by states to greater autonomy from the centre.  
(True/false)
2. Disputes regarding sharing water, primacy or language of Majority have  
Also given rise to feelings of regionalism. (True/False)

##### **Intext questions :20-3.**

C) Fill in the blanks:

1. .... is not a new phenomenon in the Indian Political system (regionalism.)
2. Indian National Congress enjoyed monopoly of power between ..... (1947-1967)
3. The close link between the ..... and ..... leadership encouraged the Growth of regionalism. (central, Regional) Continuous neglect of a region by the ruling parties is a ..... of regionalism (cause).

##### **D) Intext questions 20-4:**

Multiple choice questions:

1. A party which generally operates within a limited geographical area is called.  
(a) political party (b) National party  
(c) Regional party (d) all the above.
2. Factors which have contributed to the growth of regional parties are:  
(a) Social (b) Ethnic  
(c) Cultural and geographical (d) all the above.

## Public Opinion and Pressure Groups

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### Introduction

The views, interests and aspirations of the people constitute the core of the democratic systems. There are certain groups or associations that try to influence the decision-making or policy formulation by the Government in accordance with their specific interests. Such groups are called pressure groups. The Government that represents the people carries on administration in accordance with the public opinion expressed by the people. In fact, democracy derives its authority from the people. It seeks people's opinion on various issues of common interest. In fact, no Government whether it is democratic or not can afford to ignore the public opinion and pressure groups. Every Government respects the feelings of the public. It always keen to know their response to various issues that are directly or indirectly related to them. In any political system public opinion and pressure groups play a very significant role, we shall discuss various aspects of public opinion and pressure groups in this lesson.

### Objectives

After studying this lesson, you will be able to :

- Explain the meaning and a characteristics of public opinion.
- Recognize the significance and role of public opinion.
- Learn about various agencies that contribute to the formation of public opinion.
- Identify the hindrances to the formation of healthy public opinion.
- Appreciate the significance of pressure groups in India.
- Differentiate between a pressure group and a political party.
- Evaluate public opinion and pressure groups with special reference to India.

## I. Essay Questions and Answers

8 Marks

### 1. Examine the role of public opinion in the democratic system of India.

Ans. Public opinion is considered to be the essential element of successful working of democratic communications in the system. Public opinion is the expression of the view of citizens. No Govt. can afford to ignore it. A sound and effective public opinion can even shake the structures of dictators. The strength of democratic system lies in respecting the mind power of the people. There should be free and fair interaction of thoughts for solving the collective problems. Public opinion acquires great relevance in realizing this democratic goal. It promotes great relevance in realizing this democratic goal. It promotes wider awareness and invites citizens to examine issues from different point of views. The significance and role of public opinion can be explained as follows:

1. **Guide to the Government:** Public opinion acts as the guide to the Govt. in respect of policy formation. Govt. functions in general on the basis of mandate received in elections and tries to win over the masses to fulfill the promises made during elections.
2. **Helping in Law making:** Government is always under pressure of public opinion and takes note of the same in formulating laws for the common good. Governmental policies are invariable affected by people's opinion on various issues. Public opinion helps the Govt. to event in the given situation.
3. **Acts as a watchdog:** Public opinion acts as watching. It controls and checks the Govt. from becoming irresponsible while criticizing the wrong policies of the Govt. Public opinion always keeps the Govt. alert. Govt. is always conscious of the fact that people would not vote for it or bring it back to power again if it goes against the wishes of the people.
4. **Protects the Rights & Liberties:** Public opinion acts as the protector of rights and liberties of citizens. In a democratic country, people have the right to criticize or support the Govt. in their own way. More effective and positive use of this right not only encourages the Govt. but also keeps the Govt. alive towards the rights and liberties of the people.
5. **Acts as a powerful Force in International Sphere:** Public opinion has acquired worldwide importance. In fact, international relations are influence by public opinion. In the age of globalization, the issues like promotion and protection of human rights, environment and discrimination based on race, religion or sex. Prevention of child labour, terrorism etc .hold international community answerable to public opinion. In fact no democratic govt. can afford to ignore public opinion.

### 2. Describe the various agencies of public opinion:

Ans. There is no definite and automatic process for the formation of public opinion. Whenever an issue of public concern emerges various sections of Society express their views. In the process some views receive larger attention and emerge as public opinion. There are informal and formal processes that would public opinion

- 1. Political Socialization:** Political socialization is the basic process through which every individual is oriented with respect to political issues. A human being lives and grows in family, neighborhood, friends, the locality and the region. The orientation of individuals through this process determines their views and reactions towards political issues.
- 2. Press:** The Print media includes news paper, periodicals, pamphlets, journals, leaflets etc. Press or print media supplies their news regarding all political and social happenings in the world. It throws a flood of light on current issues. Govt. also propagates its policies and programmes through media. It tries to highlight its achievements to make public opinion in its favour.
- 3. Radio and Television:** Electronic media i.e. Radio and television acts as a mirror of Social life. Print media influences only the educated. The electronic media plays an important part in collecting the information and moulding the thoughts of the uneducated masses also. Through radio and Television masses communicate their feelings and opinions towards various Govt. policies and programmes.
- 4. Cinema:** Cinema has been the traditional medium of entertainment and awareness. The Cinema caters to the artistic and intellectual needs of the people. It cultivates new ideas and norms in the society on political and social problems. Feature films and documentary films have their natural impact on the thinking of the people. This audio visual method can even influence the illiterates.
- 5. Public meetings:** Public meetings or platforms are effective means of moulding public opinion for different social, cultural, intellectual and political activities. They address the public issues and are able to gather huge crowds through lecturers, seminars, symposiums, workshops and conferences. They try to establish personal and emotional bonds with the public and motivate them towards positive and healthy steps.
- 6. Political parties and their activities:** Political parties formulate and organize public opinion. They are called mobilisers of opinion, political parties not only make the people aware of various public issues. Their purpose is to make the people politically conscious to think about public problems. Political parties publish journals, pamphlets, leaflets, manifestoes, posters etc. to mould the public opinion in their favour.
- 7. Educational Institutions:** They include schools, colleges, literary clubs, study circles, Universities and Libraries etc. They can mould public opinion to a great extent. Eminent leaders, scholars and educationalists help in moulding their leadership qualities and help in creating public opinion through Debates, talks, seminars etc. various co-curricular activities like Drama, Symposium, painting, writing competition etc. also prove very effective in sensitizing the students on important national and international issues.

### 3. Discuss the role of pressure groups.

Ans. Pressure groups are voluntary organizations formed to defend particular interests in a society or to promote a cause or political position. These groups can operate in a number of different ways

and seek to exert pressure at a number of different points in the political system. But normally they do not themselves directly seek elective office or not put forward a programmes covering the whose range of governmental activities. The sanctions which pressure groups have very from the strike, which is used by trade unions and direct action, frequently used by movements which feel marginal to the political system as a whole, to the withdrawal of co-operation.

The Political behavior of pressure groups indicates political bi-culturalism. That is, there is ;the dichotomy of tradition and modernity. In simple words, it means that while most of groups try to follow modern development techniques for the sake of protections and promoting their specific interests like financing political parties, including men of their confidence in the legislative and executive departments of the government winning over or keeping in good humour the bureaucrats by playing them in cash and kind in return for the services rendered by them and doing much for the sake of achieving their political purposes, they are not wholly free from the shackles of primordial loyalties. Thus, the element of traditionalism creates its own problem. It is owing to this that the functioning of a group is more considerably influenced by its loyalty to a particular religion, caste or a regional issue thereby the consideration of ideological factors or national integration.

#### **4. Evaluate the methods adopted by the pressure groups in India.**

Ans. It is the constant Endeavour of the pressure groups to establish links with the Govt. officials and ministers. The pressure groups adopt various methods to influence the process of the Govt. These methods are dependent on the nature of political system and the type of society in the country. They send petitions and request letters for the fulfillment of their demands. They are always making efforts of keeping public opinion in their favour. The mass media both electronic and print, is very commonly used by the pressure groups for conveying their feelings and opinions to the Govt. They try to mould or influence the public opinion by using various publicity measures. The pressure groups through lobbying try to exert their pressure on the Govt. The pressure groups have opportunities of influencing the judiciary, also to some extent. They try to influence the selection of judges and launch campaigns to influence the judicial decisions. Therefore it can be established that pressure groups have become an integral part of every democratic political system. They also maintain the democratic spirit of a nation. Pressure groups have also been criticized on certain grounds specially of their uncalled for tactics and double standards to corrupt the bureaucracy. The powerful groups manage to get their demands filling while the weak groups are not even heard. Some times, the title unions and the other associations get even just demands fulfilled due to their influence. Actually, the influence of a pressure group depends on the factors like its own organization, strength, discipline, commitment of its members. Capacity to collector the peoples sympathy and support and financial position and above all its access to decision making bodies.

The pressure groups working for the political cause, persons etc. adopt some extremist measures like rallies, dharmas, demonstrations and hunger strikes etc.,

The pressure groups working for human causes like peace, environment protection and human rights etc. adopt a method of building enlightened public opinion and creating a good sense of compassion and reasoning. They work through organizing occupational national campaigns and international solidarity activities. Movements against AIDS, Terrorism, nuclear bomb etc. are the examples of such campaigns.

## II. Short Questions and Answers

4 Marks

### 1. Define public opinion.

Ans. In ordinary sense public opinion means the opinion of the people, of citizens on any issue or problems of public concern. It need not be the opinion of all the people, because people think differently. Public opinion is the voice of the majority, that concerns the welfare of the entire society.

In the words of Lord Bryce, “The term public opinion is commonly used to denote the aggregate of views men hold regarding matters that affect or interest the community.

### 2. Explain the characteristics of public opinion.

Ans. Public opinion is one of the methods of popular control. It reflects the voice of the people. Lowell defined “Public opinion as ‘that which the people hold for the welfare of the whole nation’”

### 3. Characteristics of Public Opinion:

Ans. 1. Public opinion is not the unanimous opinion but there is a general agreement on the issue. It may change with the circumstances, time and new information.

A Public Opinion is not always related to political matters, It may even be formulated on economic, Social, cultural matters.

2. Public opinion is logical and considered views of a section of society.

3. Public opinion is subject to process of modifications, consolidation and clarification until it takes a definite shape.

4. Public opinion necessarily reflects diversity of opinion. There is no fixed territory or area for public opinion. Public opinion ensures democratic communications.

### 3. Analyze the hindrances in the formation of sound public opinion.

Ans. Public opinion will not be a true reflection of the ideas of public until the following hindrances are eradicated.

**1. Indifferent Attitude:** Generally people like to keep themselves away from political activities. They do not like interest in public affairs. There is a need to change the indifferent attitude and adopt participatory approach. People should be motivated to take interest in the affairs of their own country. People have to be scrutinized towards important issues related to unity, integrity and development of the nation.



- 2. Illiteracy:** Educated people are expected to be good voters and citizens. Illiterate people on the other hand, have a limited knowledge and they do not understand the political problems, Ignorance born of illiteracy is a curse for social life. A sound public opinion can be formulated only in the environment knowledge and education.
- 3. Poverty:** The poor are always isolated from politics. They get easily influenced by the talks of the political leaders and cast their votes. The wide gap between the rich and poor has to be minimized and the distribution of wealth must be equitable. Sound and healthy public opinion is possible only by alienating poverty.
- 4. Disharmony among various castes and communities:** The people and political parties in democracy; have to rise above the feelings and emotions of casteism and communalism. They should not divide themselves into narrow walls of religion and set. Religion and politics should be kept separate. Social harmony in the country would provide a better platform for sound the healthy public opinion.
- 5. Free Press:** Unbiased, objective and independent press and fearless media play a very significant role in the formation of healthy opinion. Free Press should present the authentic and impartial report.

#### **4. On what basis do we classify the pressure groups in India.**

Ans. The post-independence era of Indian Politics has witnessed the existence of a large number of active and passive pressure groups. Those functioning may broadly be divided into four categories.

1. Profession pressure groups.
2. Socio cultural pressure groups.
3. Institutional pressure groups.
4. Pressure groups ad-hoc.

Pressure groups and lobbies came into being since the establishment of the American republic, but their number and intensity of work reached their zenith only in the 20<sup>th</sup> century. There are many types of pressure groups and it is not easy to classify them. One way of classifying them is according to the subject they handle.

The general subjects attracting pressure groups are agriculture, industry, Labour, professions, consumers and so on. Even religious groups have their own lobbies.

#### **5. What do you know about the Pressure groups?**

Ans. Public opinion that how does it help in influencing Government policies. Besides political parties, there are some voluntary groups that exist to protect the special interest of the individuals in the Society. Pressure groups are organized groups, having common and social interests, concerned with influencing decision making by putting pressure from outside. Pressure groups have voluntary membership and are found in every country. These pressure groups have a limited and narrow

focused issue. They have an informal, closed and unrecognized character. They, unlike political parties, do not contest elections. They put pressure on the Govt. through various techniques so are called pressure groups. They play an important role in the politics of the country.

Different types of party systems give rise to different forms of pressure group activities. It is controlled mainly by five factors.

1. The pattern of political institutions.
2. The nature of party system.
3. The political culture and attitudes of leaders and people.
4. The nature of the issues and problems confronted and
5. The character and type of the concerned interest groups.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. Define the public opinion.**

Ans. Public opinion is one of the methods of popular control. It helps the party in Power to gauge the mood of the people on public policies and programmes. It reflects the voice of the people. Machiavelli rightly stated that even an absolute monarch must honour public opinion.

Public opinion implies the opinion expressed by majority people of a nation on a particular issue of national importance. Lowell defined public opinion as “that which the people hold for the welfare of the whole nation.

#### **2. Explain the characteristics of public opinion.**

Ans. The term “Public” means a section of Society, sharing common interests, It holds similar views and opinions on matters of Public concern.

1. Public opinion is not the unanimous opinion but there is a general agreement on the issue.
2. It may change with the circumstances, time and new information.
3. Public opinion necessarily reflected diversity of opinion.
4. Public opinion ensures democratic communication.

#### **3. What are the agencies of the public opinion?**

Ans. There are many agencies of public opinion, press, political parties, legislature, Electronic media, Educational institutions, Public meetings, opinion polls, Radio, Television, Study organizations etc. are some of the examples for the agencies of public opinion.

#### **4. Write the hindrances in the formation of public opinion.**

Ans. Public opinion will not be true reflection of the ideas of public until the following hindrances are eradicated. They are 1) Indifferent attitude 2) Illiteracy 3) Poverty 4) Disharmony amongst various castes and communities. 5) Free press etc.,

**5. What is political socialization?**

Ans. Political socialization is the basic process through which every individual is oriented with respect to political issues. A human being lives and grows in family, neighborhood, friends, the locality and the region. The most influential in personality formation and character building are the family and the peer group. The orientation of individuals through this process determines their view and reactions towards political issues.

**6. What do you mean opinion polls?**

Ans. Opinion polls serve to indicate public opinion at the time of their being taken. They are very effective way of gathering information about public attitude and opinion various political, social, cultural economical etc. matters. They are normally conducted by professional agencies selecting representative samples of population. Of late they are becoming a very useful to understand and analyze public opinion.

**7. Illustrate the significance and role of public opinion.**

Ans. Public opinion is considered to be the essential element for successful working of democratic system. Public opinion is the expression of the views of citizens. It promotes wider awareness and invites citizens to examine issues from different point of view. The significance of public opinion is 1) It guide to the Government. (2) helping the law making (3) Acts as a watchdog (4) It protects the rights and liberties (5) It acts as a powerful force in international sphere.

**8. What is meant by pressure groups.**

Ans. Pressure or interest groups are organized groups, having common and social interests concerned with influencing decision making by putting pressure from out side. Pressure groups have voluntary membership and are found in very country.

**9. Characteristics of pressure groups.**

Ans. Pressure groups are some voluntary groups that exists to protect the special interests of the individual in the Society. Characteristics of pressure groups are.

1. These pressure groups have a limited and narrow focused issue.
2. They have an formal, closed and unrecognized charcter.
3. They unlike political parties , do not context elections.
4. They put pressure on the Govt. through various techniques.
5. They play an important role in the politics of the country.

**10. Classification of Pressure groups in India.**

Ans. Pressure groups are organized groups, have influence decision making to serve their own interests. Broadly they can be put into four categories according to aims and objectives which are given below. They are 1) profession pressure groups (2) Socio cultural pressure groups (3) Institutional pressure groups.(4) Pressure groups Ad-hoc.

#### IV. One Word Questions and Answers (In Text Questions)

1. A public is a section of Society. Sharing.....Interests. (**Common**/Specific)
2. Public opinion is an.....and opinion of a section or many sections of people on any public issue. (**organized and considered**/private and expert)
3. Public opinion.....unanimous opinions of the entire people (is/**is not**)
4. There.....fixed territory or area of the Public opinions.(is/**is not**)
5. Government takes serious note of.....while formulating policies and enacting laws. (**Public opinion**/opinion of political parties)
6. Public opinion acts as a.....to the Government (**watchdog**/friend)
7. Government today.....conscious of international Public opinion (**are**/are not)
8. The Government can easily afford to ignore public opinion       **True/False.**
9. Public opinion keeps a check on the arbitrary acts of the Govt.   **True/false**
10. Public opinion has no impact on protection of rights and liberties .. **true/false.**
11. International relations are influenced by public opinion       **True/False.**
12. Family and home are the informal agencies of influencing public opinion **True/false.**
13. public opinion does not reflect the diversity of opinion       **true/false.**
14. The adolescents do not get swayed by the opinion of the others . **true/false.**
15. Opinion poll is the barometer to check the satisfaction of public Towards government. **True/false.**
16. Electronic media acts as a mirror of social life.       **True/false.**
17. Public does not take interest in local and national affairs.       **True/false.**
18. Television and radio play an important part in moulding the opinion  
Of the.....masses also.       **Educated/uneducated**
19. Cinema and documentary films have their.....impact on the  
Thinking of the people. (**Natural**/unnatural)
20. Public meetings establish a personal contact between the speaker and  
The.....(**Audience**/Spectators)
21. For sound public opinion, the press has to be.....(partial/**impartial**) and  
.....(**free**/biased)

22. The people and political parties in democracy have to rise above the feelings of ..... and..... (**casts and communities**/secularism and Patriotism)
23. Sound the healthy public opinion demands economically .....Society.( **Balance**/imbalanced)
24. Pressure groups are called Pressure groups because they put.....on the Government. (**Pressure**/criticism)
25. Pressure groups are different from.....a they do not contest election.  
(**Political parties**/non voluntary groups)
26. Pressure groups helping mobilizing the.....  
(Public opinion/political parties)
27. The method and style of work of the pressure groups.....in different political systems. (**vary**/ is same)
28. The political culture and attitudes of leaders and people..... (**affect**/do not affect ) the working of the Pressure groups.
29. Pressure groups sensitize public towards various.....issues. (Public/private)
30. They act as a link between the.....and the..... (**Government , citizens**/Government, political parties )
31. ....of a country determine the activities of pressure groups And their main targets. (**Political institutions**./Social institutions)
32. The pressure groups adopt.....methods to pressurize the Government. ( Liberal/**extremist**)
33. The.....pressure groups are able to get their demands fulfilled. (strong/weak)
34. The Pressure groups try to mould the public opinion by using various..... Methods. (**Publicity**/confidential).

# Communalism, Caste and Reservations

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## Introduction

In a democratic system, it is quite common that people use different methods for expressing solidarity and achieving political power. In a country like India, politics has been dominated by promoting communalism and castism. The social diversities and disparities in our country are understood in terms of the existence of many groups linked to a caste or religion. Tensions have prevailed for long among them due to suspicion, economic deprivation and social dissemination. Playing up these factors and pitting one group against another describes the politics of communalism and castism. These trends have vitiated not only the democratic process at the time of election, but have also become serious obstacles to good governance, economic development and social harmony. For upliftment of the backward and downtrodden classes, provision has been made for reservation.

In this lesson, we will understand the use of caste and religious identity, its significance and also effects on Indian political system.

## Objectives

After studying this lesson, you will be able to

- Explain the meaning of communalism;
- Describe the impact of communalism on Indian politics;
- Explain various factors behind communal violence;
- Explain the role of caste in our society;
- Describe the impact of casteism upon the Indian electoral system;
- Describe the reservation policy and the rationale behind it;
- Describe the various constitutional provisions for reservation;
- Recognise the importance of women's reservation;
- Analyse reservation policy in the context of electoral politics;

## I. Essay Questions and Answers

8 Marks

### 1. Discuss the role of caste in Indian Politics.

Ans. Indian Society is dominated by the institution of caste since long back. It is observed by some that caste is being used as a “tool of politics” by politicians during elections.

Caste began to play an important role after independence as its involvement in politics increase. The fact that it existed as easily identifiable social cluster of people made it an easy object of political mobilization by political parties in their quest for political support and votes., while the political parties sought to exploit caste for its own electoral purposes.

#### **Role of caste in Politics:**

In politicizing the castes, the caste associations is played a crucial role.

1. Caste associations were quasi-voluntary associations in the sense that its Membership open only to the individuals of the caste community.
2. These associations were formed to secure economic benefits or educational openings or for more clearly political purpose of uniting to fight the hegemony of the upper castes.
3. In electoral politics the role of the caste in politics has become powerful. All political parties tend to give party ticket to candidates for contesting elections from amongst dominant caste in every constituency.
4. Major caste groups get representation in the concern of Ministers.
5. Every political party wanted to ride to power by getting SC, STs peoples vote.
6. While distributing the party tickets during elections, caste consideration was given at most
7. Even the formation political parties, caste has been the major consideration . some political parties were also formed o the basis of caste. For Ex. The justice party and DMK in TamilNadu., Kerala congress in Kerala, Jharkhand part in Bihar etc.
8. The influence of caste varies depending upon the legal of election and the region. Its influence is far more at the local and state level political process than at the National level.
9. Caste plays a greater role in the rural than in the urban areas. In the rural areas and at the local level, the smallness of constituency, and
10. The fact that there is greater face to face inter actions account for the strong influence of caste in politics.
11. Since independence two factors have especially brought the issue of caste in India politics into sharp focus. These are(1) The introduction of Universal adult Franchise and (2) the constitutional provisions for protective discrimination in favour of the backward classes.



12. In addition to the enlarged areas of electoral politics, the constitutional provisions for protective discrimination also provided the ground for castes to play a significant role in politics.
13. Since the independence two types of caste politics can be discerned. The first type caste politics, the caste groups, recognized as OBC, getting a higher quota in the reservation. The second type caste politics, mobilization of social and political forces for and against reservations for the OBC.

The reservation issue provided fertile ground for castes to play an active role in politics.

## **2. Discuss about the reservation policy in India rationale.**

Ans. Keeping in mind the backward conditions of the backward classes, the constitutional makers also made special provisions for enlistment of the backward classes. Particularly in education, employment and political spheres. The special provisions are in the form of protective discrimination. The policy of reservation is an instance of protective discrimination.

Articles 38 and 46 in the Chapter of Directive Principles, enjoin upon the State the duty to strive for the welfare of the people in general and the backward classes in particular.

### **Implementations of Reservations.**

Reservation policy is implementing as the following grounds.

#### **1. Reservations FOR SCs and STs.**

The constitution recognizes three categories of people as backward classes. In this section we deal with the provisions relating to the SCs and STs.

The constitution provides for three types of reservations for the SCs and STs. There are:

- (1) Reservation of jobs in Government Services and in public sector.
- (2) Reservation in Educational institutions and
- (3) Reservations in Legislative representations.

Under articles 16(A) 320(4) and 333, 15% and 7% of the jobs are reserved at all levels in the public services for the SCs and STs respectively.

Article 15(4) deals with the reservation of seats in the educational institutions. Accordingly, the Central and State Governments have reserved 20% of the seats in all educational institutions maintained by public money. Moreover, qualifications for admission have also been relaxed for the SCs and STs.

Articles 330 and 332 provide for reservation of Seats in the Lok Sabha and State Legislative Assemblies 78 seats for SCs, 38 seats for STs in the Lok Sabha and 540, 282 seats are reserved for SCs and STs in State Assemblies respectively. Moreover seats also reserved in the panchayat Raj Institutions.

#### **2. Reservation for the OBCs.**

The task of specifying and identifying other backward classes (OBCs) was left to the union and State Governments, by the constitution.

In many states, like Tamil Nadu, Andhra Pradesh, Kerala, Bihar, Gujarat, the backward

classes movement was very strong, to name a few, the State Government have reserved jobs at all levels in the public services and seats in educational institutions.

The Union Government took long time in deciding to provide reservation to the OBCs in the Central Services. Based the Mandal Commission report, it identified 3943 castes as OBC and recommended 27% reservation in Government and Semi Government jobs and admission to educational institutions. After that, in the 1993, the Union Government implemented OBCs reservations, subject to the exclusion of the creamy Layer among the OBCs.

### **3. Importance of Women's reservation:**

The condition of women in India is miserable, due to illiteracy, poverty and backward Social values. Keeping in view the prevalent circumstances, reservation for the women was started to emancipate the women from the drudgery of household. A debate has been going on to ensure women's reservation at every level of representative system of Indian democracy and even in the State administrative Services .33% reservation is provided by the Governments. In education, employment and local bodies for women. Regarding in Legislative bodies elections, the reservation bill is pending in parliament.

## **II. Short Questions and Answers**

**4 Marks**

### **1. What is communalism India is land of multiple faiths and religions**

Ans. The great religious like Hinduism, Buddhism, Jainism, Sikkism are born in this soil. India equally tolerated and allowed to flourish other world religions like; Christianity, Islam and Parsee.

Communalism , as Rajni Kothari says, has to meanings.

1. Its positive meaning is the “consciousness of a common identity of a group of people based on their cultural heritage language, religion, caste, region etc. and
2. In a negative sense, it means communalism “ an exclusives identity that denies respect for identifies”.

This kind of multiple faiths and religions leading often to violence and hatred among the people . Communalism essentially leads to violence as it is based on mutual religious hatred. This phenomenon leads to distinction between a communal organization and a religious organisation. Communalism essentially has following main features.

1. It is based on orthodoxy.
2. It is exclusive in our look, a communalist considers his own religion to be Superior to other religions.
3. It is based on in tolerance.
4. It also propagates intense dislike of other religions.
5. It stands for elimination of other religions and its values.
6. It adopts extremist tactics including use of violence against other peopl

## **2. Discuss the impact of communalism on Indian politics (or) administration.**

Ans. Communalism has divided our Society for long. It causes in orthodox tenets and principles, intolerance hatred of other religions and religious group, distortion of historical facts and communal violence.

**Communal violence:** Most communal riots prior to 1947 were rooted in the 'divide and rule' policy of British colonial rule. Communal violence in independent India has been caused by many factors;

First the Class divisions of our Society and the backwardness of our economy has resulted in uneven development of the economy.

Communal violence also increases because communal parties carry o religion propaganda in an offensive manner, thereby creating ill-will among the members of the various communities.

The political parties in India which adopt a communal attitude should be blamed for encouraging communal feelings which often causes communal violence.

Apart from these general factors, some specific local causes also account for communal violence in India.

- (1) Because the power of smugglers and criminal gangs, local rivalries between traders of different communities often leads to such violence. Larger cities are prone to periodic communal riots because of the power of the smugglers and criminal gangs. The communal violence after the demolition of the Babri Masjid in 1993 is an example.
- (2) Communal riots occur in towns which have a history of communal riots. Aligarh and Hyderabad, among other cities, suffer from this trend.

Whatever may be the cause of communal violence, it immediately attracts attention of the Nation. In our society class identities still remain submerged under caste and communal identities.

Economic problems of the people, like poverty and unemployment must be resolved in the country before the problem of communal violence can be totally eliminated.

## **3. Discuss the role of Caste in Indian Society.**

Ans. Caste is the basic feature of Indian Society. India's social structure is best understood in terms of caste system wherein the caste is hierarchically arranged. Over the years, the caste system developed into an elaborate system to maintain socio-Economic inequalities in the Society. The conditions of the Dalits were particularly pathetic. The practice of untouchability epitomized their conditions.

I) In the typical Varna-vvastha there are four varnas.

Brahmin (the priest and the intellectual class)

Kshatriya (Warrior and the ruling class)

Vaisyas (the producing class-peasants and artisans)

Shudra (performed menial and pulling jobs)

In reality, there are not four but thousands of castes and jathis, in which the caste system organized.

II) Caste is a localized group having a traditional association with an occupation. Accordingly, the choice of occupation is not open but it determined on the basis of one's birth in a caste. In addition caste groups have rule governing food and marriage. If they reject to follow the rules, they can be expelled from the caste.

Caste group identity got strengthened in the new context of modern ideas and institutions. This happened because it became one of the bases of political mobilization among the many castes and classes before, during the freedom struggle and afterwards.

The constitutional makers also realized that for the development of backward classes in the Society. So that they introduced the policy of reservation for their development.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. What is communalism.**

Ans. India is land of multiple faiths and religions. Communalism means, in positive sense, "the consciousness of a common identity of a group of people based on their cultural heritage – language, religion, caste, region etc, and negative sense, communalism means an exclusive identity that denies respect for other identities.

This kind of multiple faiths and religions leading often to violence and hatred among the people. So communalism leads to violence as it is based on mutual religious hatred.

#### **2. What is the role of caste in Indian Society.**

Ans. Caste is the basic feature of Indian Society. India's social structure is best understood in terms of caste system where the caste is hierarchically arranged. Over the years, the caste system developed into an elaborate system to maintain Socio-economic inequalities in the Society. In the typical Varna - Vyavastha there are four Varnas. 1) Brahmins (2) Kshatriya (3) Vaisyas (4) Shudra. The conditions of the Dalits were pathetic.

#### **3. Write about reservation policy in India.**

Ans. Keeping in mind the backward conditions of the backward classes, the constitution makers made special provisions for the upliftment of the backward classes.

The special provisions are in the form of protective discrimination. The policy of reservation is an instance of protective discrimination. The reservation is to be in jobs, educational institutions and legislature representation.

#### **4. Write about Mandal commission.**

Ans. The Janata Govt. had appointed a commission in the year 1978. under Article 340, to identify the other backward castes. This commission known as Mandal Commission. It submitted its report in 1982. It identified 3943 castes as OBC and recommended 27% reservation in Government and semi Government jobs and admission to educational institutions.

On 13<sup>th</sup> August, 1990 the Union Government headed by V.P. Singh issued memorandum extending reservation to the OBC, based on the Mandal Commission. The reservation system came into force in September, 1993.

### 5. Reservation for SCs and STs:

Ans: The constitution provides for three types of reservations for the SCs and STs. These are:

1. Reservation of jobs in Government services and public sector.
2. Reservation in educational institutions and
3. Reservations in Legislative representations.

15% and 7% of the jobs are reserved at all levels in the public services for the SCs and STs respectively.

## IV. One Word Questions and Answers (In Text Questions)

### A . Intext questions 22.1

1. The growth of communalism in India can be traced to:  
(a) **divide and rule of British.**  
(b) Freedom struggle.  
(c) India's secular deals.
2. The chief characteristics of communalism are.....and.....(**intolerance and extremism**)
3. The Nexus between political class and.....has often fanned communal violence (**criminals**)
4. Economic problems of common people are solved through communalism. (**False**)

### B. Intex questions: 22.2

Fill in the blanks.

1. ....are at the base of India's social structure. (**Castes**)
2. In the caste system, castes are.....arranged. (**Hierarchically**)
3. The caste system also known as.....was based on the.....division of Labour. (**Varna-Vyavasta, Social**)
4. In the caste system, the choice of occupation is not.....but is determined on the basis of one's .....(**open, castes**)

### C. Intext questions: 22-3:

1. The constitution provides.....and.....percentage of jobs to scheduled Caste and scheduled tribes (**15 and 7.5**)
2. The constitution does not identify other backward classes . (**True** /false)
3. Name the commission that recommended reservations to OBCs.  
(a) Sarkaria commission.  
(b) **Mandal Commission.**  
(c) Ramand Prasad Committee.

Asper the Supreme Court.....is not eligible for OBC reservation. (**Creamy Layer**)



# Environmental Awareness

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## Introduction

Environment includes all living and non-living objects. We live in the environment and use the environmental resources like air, land and water to meet our needs. Development also means meeting the needs of the people. While meeting the ever-growing needs, we put pressure on the environment. When the pressure exceeds the carrying capacity of the environment to repair or replace itself, it creates a serious problem of environmental degradation. If we use any environmental resource such as ground water beyond its limit or replacement, we may lose it forever. Therefore, there is a need water beyond its limit of replacement, we may lose it forever. Therefore, there is a need to create “awareness” about Environmental protection. While efforts are being made at the national and international level to protect our environment, it is also the responsibility of every citizen to use our environmental resources with care and protect them from degradation. In this lesson we will discuss the meaning and causes of environmental degradation and the importance of environmental conservation.

## Objectives

After studying this lesson, the learner will be able to:

- explain the concept of environmental degradation;
- identify various factors causing environmental degradation;
- recognize the growing awareness about Environmental degradation;
- explain the concept of sustainable development;
- recognize the national and international commitment to the protection of Environment;

## I. Essay Questions and Answers 8 Marks

### 1. Out line the various efforts made by the Indian Government towards creating a better natural Environment.

Ans. Environment constitutes a very important part of our life. Environment means “The surroundings, especially as affecting lines”. It includes all living and non-living objects. We live in the environment and use the environmental resources like, air, land and water to meet our needs. The living things in environment is called biotic factors and non-living things is called a biotic factors. To understand life without studying the impact of environment is simply impossible. If the natural environment is disturbed by any kind of method that leads various health hazards and natural calamities. So, we should protect and save the natural environment.

For that purpose, the Indian Government has taken several measures to protect the natural environment and created a better natural environment.

#### **Some measures taken by Indian Government to check environment pollution and to create a better natural environment.**

1. **Environmental courts:** Special courts are being setup to ensure speedy justice of the poor against factories that pollute the environment.
2. **Environment friendly products:** The Government is setting stringent standards for all products in the market. Those, which meet these standards of production and performance will be given the label of excellence like ISI mark.
3. **Unloading of petrol:** Refineries are being persuaded to make their petrol lead-free. Indian petrol has the highest lead content, which creates major pollution through automobiles.
4. **Ban on harmful pesticides:** Eight chemical pesticides of which DDT, BHC, Aldrin and Malathion are the main culprits have been isolated. There are now plans to replace them with safe bio-pesticides.
5. **National Waste management council:** The main task is to convert 40 million tones of fly ash, that lie as a mountain near a thermal power plants into bricks, city garbage into energy and sewage into fertilizer.
6. **Public liability insurance:** This makes it mandatory for all companies to takeout a public liability insurance to be paid in 48 hours.
7. **Pollution by motor vehicles:** Anti-pollution measures against motor vehicles are being strictly enforced.
8. **Hotel near sea shore:** Action has been taken against a large number of hotels which encroach beaches in flagrant violation of laws.
9. **National River action plan:** The proposed is to setup a National river authority on which will plan policy . For water use and waste management at the national level.



10. **Solar Energy commission:** Since the energy sector is the major polluter, the idea is to create decentralized energy at the village level, instead of multiplying the main stream producer.
11. **No smoking in public places:** A ban is proposed on smoking in public places. The Delhi Government has taken a lead in this direction.

## II. Short Questions and Answers

**4 Marks**

### 1. Describe the meaning of Environment and environmental degradation.

Ans. Environment constitutes a very important part of our life. It is constituted by the surroundings, in which we live. To understand life without studying the impact of environment is simply impossible.

1. **Environment – its meaning:** “Surroundings, especially as affecting lives” is called Environment. Environment includes all living and non-living objects. We live in the environment and use the environmental resources like air and land water to meet our needs. Development also means meeting the needs of the people. While meeting the ever-growing needs, we put pressure on the environment. The need to protect environment can be ignored only at our peril.
2. **Environmental degradation:** We use Environmental resources in our day to day life. These resources are renewable and non-renewable. We have to be more cautious in consuming non-renewable resources like coal and petroleum which are prone to depletion. All human activities have an impact on environment. But in the last two centuries or so, the human influence on environment has increased due to the rapid pollution, growth and the fast development in science and technology. These two are the major factors in reducing the quality of environment and causing its degradation.

The environmental degradation is a greater danger to man's own survival. So natural resources of land, air and water have to be used wisely as a trust to ensure a healthy environment for the present and future generations.

### 2. Discuss any two environmental problems:

Ans. Some of the notable problems of environment can be identified as under:

1. **Land, air and water:** Pollution of lands and water has affected plants, animals and human beings. The quality of soil is deteriorating resulting in the loss of agricultural land. The loss is estimated to be about five to seven million hectares of land each year. Soil erosion costs the world dearly. The recurring floods have their own peculiar casualties like deforestation, silt in the river bed, inadequate and improper drainage, loss of men and property.
2. **Population growth:** Population growth means more people to eat and breathe and putting an excessive pressure on land and forest and ultimately disturbing the ecological balance. It also helps loss of wild life heritage and ultimately dwindling of several species. The growing population is not only a problem for the actual environment. It is a problem for any other aspect of environment, say for example social, economic and political etc.,

3. **Urbanization:** Urbanization is also another source of pollution, it is a threat to environment. Urbanization means maddening race of people from villages to the cities. The net result of urbanization is dirt, diseases and disasters. In a State of growing urbanization, environmental problems like sanitation, ill-health, housing, water supply and electricity keep expanding. On the other, in rural life also due to indiscriminate collection of Fire wood and other natural resources.
4. **Industrialization:** Industrialization coupled with the development of the means of transport and communication has not only polluted the environment, but also has led to the shrinking of the natural resources., Increasing level of heat fluxes, carbon dioxide and particulate, radio active nuclear wastes and the like create environment hazards. On the other hand, the consumption of conventional source of energy leads to the loss of resource.

### 3. What is sustainable development ? Explain.

Ans. The environmental issues are important because the absence of their solutions is more horrible. Unless environmental issues are not solved, the coming generations may find earth worth not living.

There is no delaying the fact that environment has to be protected and conserved so to make future life possible.

#### Concept of sustainable Development:

1. The world Commission on environment and development (the Brundt lands Commission) submitted its report entitled :our common future in 1987. There report highlighted the concept of “sustainable development” Sustainable development meaning. “the needs of present generation without compromising the need of true generation”. It stands a strike a balance between development and environmental protection. The primary concern is “quality of life”.
2. The main stream green scholars like car, Brown, Dala, Schumacher, all lay stress o “sustainability” is environment together with development .The emphasis of the main stream green are not on pollution, but on 1) energy and its resource may be renewed (2) The waste be changed into raw-material (3) Gross national product and its growth targets need not be sought.
3. The concept of sustainable development is more about environment and less about development , more about stability less about change. It is a concept of development with environment, but is environment with growth.
4. In deed, economical degradation should stop, scholars and activists assert that environmental degradation can be controlled and reversed only by ensuring that the parties causing the damage should be made accountable for their action and they should participate in improving environmental conditions.

**4. Mention or examine the India's National Environmental policy – its basic objectives:**

The Indian Government took many environment friendly activities.

The objective of India's National Environment policy are worth stating.

- (1) Conserve and develop safe, healthy, productive and aesthetically satisfying environment.
- (2) Upgrade, develop and manage rural and urban settlement to enhance the quality of life.
- (3) Plan development on sound ecological principles with environmental impact assessment and incorporating appropriate environmental safe guards.
- (4) Promote environmental safety – technologies, recycling of resources and utilization of wastes.
- (5) Conserve the biotic diversity in the country by erecting nature reserves and sanctuaries for specific habitats such, mountains, rain forest, desserts etc.
- (6) Safe guard the environment within the national maritime exclusive economic zone.
- (7) Evolve environmental norms and establish effective mechanism for monitoring.
- (8) Preserve sciences land scopes, as well as historic and cultural monuments and their environs.
- (9) Promote environmental education at all level and create public awareness.
- (10) Encourage research in environmental science and technological ad social investigation to conserve the environment.
- (11) The man power within the country of econoligists, environmental silent, planners should recognize and utilize their work for the national development.

**III. Very Short Questions and Answers**

**2 Marks**

**1. What is meant by environment.**

Ans. Environment constituted by the surroundings in which we live. To understand life without studying the impact of environment is simply impossible. Environment means “surroundings, especially as affecting the lives” It includes all living and non-living objects. We live in the environment and use the environmental resources like air, land and water to meet our needs. The need to protect environment can be ignored only at our peril.

**2. What is meant by environmental degradation.**

Ans. We use environmental resources in our day to day life. These resources are renewable and non-renewable. We have to be more cautious in consuming non-renewable resources like coal and petroleum, which are prone to depletion. All human activities have an impact on environment. For the last two centuries, the human influence on environment has increased, due to the rapid pollution, growth and fast development in Science and technology. The environmental degradation is a greater danger to man's own survival. When the pressure exceeds, it creates a serious problem of environmental degradation.

### 3. Write about any two environmental problems.

- Ans. 1. **Land, air and water:** Pollution of land and water has effected plants, animals and human beings. The quality of soil is deteriorating resulting in the loss of agricultural land.
2. **Population growth :** Population growth leads to putting an excessive pressure on land and forest and ultimately disturbing the ecological balance. It also helps loss to wild life heritage.

### 4. What is meant by sustainable development.

- Ans. The Brundt land commission report highlighted the concept of “sustainable development” The meaning of sustainable development is “the needs of present generation without comprising the need of future generation . It stands for a strike a balance between development and environmental protection. The primary concern is “quality of life “.

### 5. Mention any four objectives of India’s National Environmental policy.

- Ans. 1. Conserve and develop safe, healthy, productive and aesthetically satisfying Environment.
2. Upgrade, develop and manage rural and urban settlement to enhance the Quality of life.
3. safeguard the environment within the national maritime exclusives economic Zone.
- Promote environmental education at all level and create public awareness etc.

## IV. One Word Questions and Answers (In Text Questions)

### a) intext questions: 23-1

Identify the true and false statement.

- |  |               |
|--|---------------|
| 1. Coal is a renewable resources.  | <b>False.</b> |
| 2. The fast development in science and technology is a major Factor contributing to the environmental degradation. | <b>True.</b>  |
| 3. The growing population in India does not contribute to the Environmental degradation.                           | <b>False.</b> |
| 4. Trees are a good example of non-renewable resource  | <b>False.</b> |

### B) Intext questions: 23-2

- Identify two most important international conferences on environment.  
(1) **Stockholm conference**      (2) The RIO conference.
- Give the name of the world commissions which popularized the concept of sustainable development.  
1) **Brundt land commission.**
- Identify any three objective of India’s National Environment policy.**
  - conserve and develop safe, healthy, productive and aesthetically satisfying environment.
  - Upgrade, develop and manage rural ad Urban settlement to enhance the quality of life.
  - Promote environmental safety –technologies, recycling of resources and Utilization of water etc.
- Identify any three measures taken by the Government of India to cheek Environmental pollution.**
  - Environment courts.
  - Environment friendly products.
  - Ban on harmful pesticides. etc.

## Good Governance

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### Introduction

Every one of us expect and aspires that our Government should be good and effective in fact, we also know that it was for the purpose of securing conditions for safe and happy life that the state came into existence and its continuity is justified in terms of promoting and preserving the quality of life. Kautilya considered it as the bounden duty of the government to act in a manner that realizes the material, mental, moral and cultural well being of the people. It is in this context that the study of good Governance has become very important in the study of political Science. The lesson explains the meaning of good Governance, governance and measures to overcome these hindrances as well as the role of citizens to ensure good Governance.

### Objectives

After studying this lesson, you will be able to

1. Explain the concept of good governance
2. Describe the major components or characteristics of good governance like Accountability, openness etc.
3. Discuss major hindrances to good governance like corruption, population growth and culture of violence.
4. Appreciate the role of citizens in the process of good governance.
5. Describe the ways to promote good governance like use of computers, the right to information and citizens charter.

### I. Essay Questions and Answers

**8 Marks**

#### 1. Discuss the meaning and the concept of good governance ?

Ans: In order to understand the concept of good governance we shall first have to know the meaning of Governance. Governance to provide goods and services to the people uphold the common good and fulfill the aspirations and needs of the common man. Governance, therefore, is concerned

with power, strategies, policies, plans and projects that aim at improving the substance or quality of life. The people expect their government to proceed with its tasks in a way that maximum results follow with minimum investment. Government becomes good when the decisions and actions of government are based on people's consent, legitimacy and Accountability. Thus good Governance is concerned with high quality in Governance. All sections of the society today Judge their government by their governance. In ancient and medieval India a king, though authoritarian, was supposed to be conscientious and responsive to the needs of the subjects.

The modern times, good Governance implies enlightened citizenship as well as accountable and constitutional Government. Good governance is also a key development concept today. Development is a concept that is inclusive and positive in nature. It is inclusive in so far it aims at involvement of people in the process of development. Thus the development is not severely people oriented but people centered. It is positive to the extent of building up new level of skills, knowledge, and support for development.

**2. Identify three features of good governance. Explain the importance of Accountability in good governance ?**

Ans: Good governance implies enlightened citizenship as well as Accountability. It is also a key development concept today. A number of reports and studies have sought to identify a number of features. In the scheme of Kautilya, for instance, the following features formed part of good governance.

1. Law and Order
2. People caring administration
3. Justice and rationality as the basis of division
4. Corruption free governance.

The World Bank in its reports of 1989 and 1992, the Organization for Economic Cooperation and Development (OECD) Commission on Global Governance (1995), United Nations Development Programme (UNDP) 1997 have all dealt with the attributes of good governance extensively.

These concerns of good governance have been very clearly voiced in Asian Development Basic report in the shape of the following questions:

1. Do people fully participate in governance?
2. Are people fully informed?
3. Do people make decisions or can they at least hold the decision makers accountable.
4. Are the women equal partners with men in governance?
5. Are the needs of the poor and disadvantaged met?
6. Are people's human rights guaranteed?
7. Are the needs of the future generation taken into account in current policies?
8. Do people own their structures of governance?

**Accountability:** It has been emphasized almost unanimously that governance has to be based on the principle of accountability of those who are responsible for it. Accountability, in fact, implies that the bureaucracy should be answerable for what they do or don't do? In a parliamentary system through question, debates, discussions, budgetary approvals, committees and such other methods by parliament. The executive is to be responsive to the people through their representatives. Secondly, accountability is also ensured through Judicial review of the governmental decisions or laws. The citizens are also seeking Judicial intervention through Public Interest Litigation (PIL) for prompt action on certain issues affecting the common life. Such practices are in vogue in several countries like New Zealand, Canada, Australia, and India. Recently, a more effective mode of public accountability is the system of citizens charter. The idea is to change the bureaucratic culture to include people friendly attitudes instead of patriarchal, indifferent, casual and callous behavior to citizens. The old feudal value must give place to modern democratic value in bureaucracy.

In order to establish accountability at the level of local government Indian Parliament passed 73<sup>rd</sup> and 74<sup>th</sup> Amendment Act in 1992 providing for among other things 33.3% reservation for women and for S.C. and S.T. in proportion to their population, decentralised development planning, enhancing financial abilities through increased financial powers and support to the local bodies. Moreover, 79 ministers and departments of the centre operating the structure of citizens charter.

Accountability is related to the system of openness and transparency. Indian parliament has enacted the right to Information Act to facilitate openness in government. Central ministers and departments have set up facilitation counters with wide publicity the purpose of information and making complaints.

### 3. Discuss the main hindrances to good governance?

Ans: Countries at the international and national level have shown much seriousness about good governance. But how is it that they have not been finding it so easy to provide to all their citizens a just equal free social order. What are the factors responsible for the failure to achieve the ends? They are.

1. Corruption
2. Population Growth
3. Culture of Violence

**1. Corruption:** Corruption is a Universal disease causing harm to the people and government almost every where in the world. However in India it has assumed the shape of a cancer. Since the days of Kautilya the issue of ethics and integrity in government has been a major concern. At times the political leaders have expressed their helplessness to contain corruption by arguing that corruption is a whole wide phenomenon. The exposure of the scams and the demand for action against the corruption is now increasing. But no steps to fight corruption will be effective unless all forms of corruption-political economic, moral and administrative are fought with a sense of commitment and will. In order to meet the threat of corruption to good governance the following steps are necessary.

1. Breaking the nexus between politicians, bureaucrats and criminals.
2. Ensuring a cost-effective administration of Justice.



3. Setting up of Public Interest litigation Courts at the national, state and local levels.
4. Making right to Information more effective
5. Mobilizing the society to support the system of rule of Law. Etc.

**2. Population Growth:** Good governance is concerned not merely with effective laws but also concerned with mobilization of country's Social and economic resources in a manner that benefits all the members of the society. However, one finds that development efforts have failed to eliminate poverty, Unemployment and illiteracy and to secure to all citizens equitable access to even primacy education and health, food, water and a house. From a population of about 35 crores at the time of India Independence to more than 120 crores now is a cause for concern. The phenomenal growth in number requires resources to sustain them. There is an increasing demand on land, air and water resources. Providing adequate educational and health facilities, food, shelter and employment to the growing number is a difficult task before any government in India. The rapidly increasing population is in fact, a means to a breakdown of good governance. Population can be stabilized through spread of education, awareness, health education peoples involvement and development etc.

**3. Culture of Violence:** Resort to illegal force is considered to be a law and order problem. But when one looks at it from the point of view of the principle of good governance, it becomes clear that peace and order is the first step to development. Strikes, riots, terror attacks one rant of this harmful culture of violence. The government can focus on economic, social and political development if it is free from the concerns of threat to public safety and security in terms of life and property. More ever, terrorism is also the greatest threat to the rule of law. Terrorism is a hindrance to progress. No individualist would be willing to invest in an area. This produces an adverse impact on employment, health, education and the provision of other services to the people in the long run. The issue of human rights also comes to the fore. But when the government uses brutal force to contain terrorism, at times human rights of common citizen are violated by the state police. It requires a clear vision, courage, and understanding to deal with this mince through dialogue with the violators of law, redressal of their genuine grievance, involvement of the neighbors and wider international government in the fight against terrorism.

#### **4. Describe measures for good governance, the government of India has taken.**

Ans: The measures to realize the goals of good governance, let us discuss two measures viz. ensure peoples participation and the use of computers and information technology, for an efficient, effective honest, transparent and law abiding system of governance.

1. Peoples participation for Good governance: Peoples participation is given increasing priority in the scheme of governance. It is recognized that people's involvement in decision-making and decision. Implementation would act as
  1. a check on indifferent and inefficient bureaucracy
  2. Instruments for a responsive and accountable administration.
  3. a medium of development administration and self government.
  4. a mobiliser and user of local resources for local development.

The people can perform this role either by becoming a member of any social organization or interest or pressure groups or welfare organization or political party or by becoming a part of bureaucracy and the government at national, regional, or local levels. The government is seeking to involve people by the democratic decentralization. The panchayats and municipalities or by association in advisory committees and institutions. Peoples also organize themselves to demand a policy to meet the expectations of the citizens. They organize as groups to support a people friendly decision of the government as they also oppose anti people measures taken by it. Ex-Narmada Bachao Audolan, Bach pan Bachao Audolan. Common cause Shiksha Bachao Audolan etc.

Therefore our country has made deliberate attempt to include the poorer sections in the processor of decision making and development. Reservation 3.3% seats for women in the Panchayati Raj and the Urban local governments is one such step. There is a provision for reservation of seats for SC/STs in the proportion of their population. Reservation for backward classes has been left to the State Government. It is only a handful of people who appear to be empowered.

## **2. Role of Computer and information Technology (IT) as means of good governance:**

Good governance is being people-friendly and power sharing system on the one hand and being responsive, accessible, moral, transparent, and corruption free system on the other. The use of computers and information technology is visualized as a very effective tool of good governance. It seeks to improve.

1. Delivery of services to the people at low cost.
2. Empowerment of people through dissemination of information.
3. Openness and transparency in the working of government.
4. Innovations and introductions of new ideas and concept in the performance by the government and the people
5. Effective linkage between citizen and the administration
6. Comprehensive monitoring and assessment of the performance of Government.

Computers can increase peoples reach to the information relating to rules, regulations, welfare development schemes, information about weather and climate that can be used by farmers and citizens. Computers can reduce their personal contacts to curb corruption. For example, a farmer can get his land record copy on the computer, a citizen can pay any bill or Tax without actually going to the cash counter and suffering the agony of long queue or losing the earning of the day. In India provides the number of services like online registration, copies of land records, agriculture produce auction to the people at as nominal price. The list may further include facilities like eligibility rules and application for loans, prices of seeds, fertilizers and tools the power cut schedule etc. such system would cut the administrative delays, which is another source of corruption. It would reduce time and financial cost of the facility as the citizens would get them through Computer at their doorsteps. In Andhra Pradesh is using computers for transparency in educational admissions, recruitments, transfers, Payment of salaries of Teachers, computers are also used to know the implementations of the instructions or orders of the Chief Minister.

In Kerala a computerized project known as FRIENDS (fast, RELIABLE, Instant effect, Net work for disbursement of Service) is working to provide a range of public Service through computers to the people. The Central government of India has also introduced system of administration in various departments like Railways, Human Resource Department, Planning Commission and UGC.

## **II. Short Questions and Answers**

**4 Marks**

### **1. Discuss the meaning of good governance?**

Ans: Governance defined as the use of power and authority by those in government to provide goods and services to the people up hold the common good and useful the aspirations and needs of the common man. Governance, therefore, is concerned with power strategies, policies, plans and projects that aim at improving the quality of life. The people expect their government to proceed with its tasks in a way that maximum results follow with minimum investment. Government becomes good when the decisions and actions of the government are based on people consent, legitimacy and Accountability. The good governance is concerned with high quality in governance. In modern times, good governance implies enlightened citizenship as well as accountable and constitutional government.

### **2. Explain the features of good governance?**

Ans: Good Governance implies enlightened citizenship as well as Accountability. It is also a key development concept today. A number of reports and studies have sought to identify a number of features. In the scheme of Kautilya, for instance the following features formed part of good governance.

1. Law and Order
2. People Caring administration
3. Justice and rationality as the basis of decision.
4. Corruption free governance.

The world Bank in its reports of 1989 and 1992. The organization for Economic Cooperation and Development (OECD) Commission on Global Governance (1995) United Nations Development Programme (UNDP) 1997 have all dealt with the attributes of good governance extensively.

### **3. Explain the importance of Accountability in good governance?**

Ans: Governance has to be based on the principle of accountability. It implies that the bureaucracy should be answerable. In a Parliamentary system through questions, debates, discussions, budgetary approvals, committees and such other methods by parliament. The executive is to be responsive to the people through their representatives. Secondly accountability is also ensured through judicial review of the governmental decisions or Laws. The citizens are also seeking judicial intervention through public Interest litigation (PIL) for prompt action on certain issues affecting the common life. Such practices are in vogue, directly or indirectly in several countries

like New Zealand, Canada, Australia and India. Recently, a more effective mode of Public accountability is the system of citizens charter. In every country a of institutional and legal arrangements have been made to secure the prevalence of the characteristics of an accountable administration. For Example in India setting up of institutions like Central Vigilance Commission and National Labour Commission Comptroller and Auditor General of India are such efforts to administer social, legal, constitutional and systemic commitments in bureaucracy. It seeks to remove the tendencies of administrative bias, corruption, alienation and secrecy.

In order to establish accountability at the level of local government and empowerment of marginalized groups. Indian Parliament passed 73 and 74 Amendment Acts in 1992 providing for among other things 33.3% reservation for women, S.C, S.Ts in proportion to their population enhancing financial powers to the local bodies. Accountability is related to the system of openness and transparency.

#### **4. Explain Roll of Computer and Information Technology as means of good governance?**

Ans: The use of computers and information technology is visualized as a very effective tool of good governance. It seeks to improve delivery of service to the people at low cost. Empowerment of people through dissemination of information, openness and transparency in the working of government and effective linkage between citizens and administration. Computers, thus can increase peoples reach to the information relation to rules, regulations or procedures or about the welfare and development scheme the government or about the welfare schemes of government or information about weather and climate that can be used by farmers and citizens. Computers can reduce their personal contacts to curb corruption. For example: a farmer can get his land record copy on the Computer, a citizen can pay any bill or tax without actually going to the cash counter and suffering the agony of long queue or losing the earnings of the day. In India Computers provides the number of services like on line registrations, copies of land record, agriculture produce auction centre to the people at a normal price. The list may further include fertilizers and tools, the power cut schedule etc.. Such a system would cut the administration delays, which is another source of corruption. It would reduce time and financial cost of the facility as the citizens would get them through computer at their doorsteps.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. What is the meaning of good governance ?**

Ans: The concept of good governance has been defined as the use of power and authority by those in government to provide goods and services to the people to uphold the common good and fulfill the aspirations and needs of the common man. Governance therefore is concerned with power, strategies, policies, plans and projects that aim at improving the substance or quality of life.

#### **2. What are the basic features of good governance?**

Ans: A number of reports and studies have sought to identify a number of features. In the scheme of Kautilya, for instance, the following features formed part of good governance.

1. Law and Order
2. People caring administration
3. Justice and rationality as the basis of decision
4. Corruption free governance.

### 3. Main hindrances to good governance ?

Ans: National and International levels have shown much seriousness about good governance. But they have not been finding it so easy to provide to all their citizens a just, equal and free social order. There are a number of factors responsible for the failure to achieve the desired ends. They are mainly posed by the population explosion, violence, terrorism and corruption.

### 4. What are the measures for good governance?

Ans: In India the ways adopted by different governments to overcome their hindrances. The special focus again is on the peoples participation, prevention of corruption and Computer use as means of promoting good governance.

## IV. One Word Questions and Answers (In Text Questions)

1. Governance is concerned with formulation of \_\_\_\_\_ to improve \_\_\_\_\_ of life of the people.  
(**strategy**/revenue collection scheme: **Quality**/Family Relations)
2. Kautilya's scheme of good governance is based on \_\_\_\_\_ administration.  
(**People caring**/Authoritarian and arbitrary)
3. The concept of good governance become popular in administrative discussion with the publication of \_\_\_\_\_.  
(**World Bank Report 1989 & 1992**/ Machiavelli's the prince)
4. Governance is good if it based on \_\_\_\_\_. (**People's consent**/Guardian like behavior of the civil servants)
5. Corruption is an \_\_\_\_\_ use of authority for personal benefits. (Legal/**illegal**)
6. Corruption is concerned with \_\_\_\_\_ in Public life. (Secrecy/**probity**)
7. Corruption can be reduced by \_\_\_\_\_. (**Simplification**/reviling of Rules and Regulations)
8. Population has been stabilized in \_\_\_\_\_ (Uttar Pradesh/**Kerala**)
9. Violence is the greatest threat to \_\_\_\_\_. (**Rule of Law**/Police)
10. Good governance can be secured through \_\_\_\_\_. (**Peoples involvement**/Civil Service Alone)
11. Use of computers makes the delivery of the services \_\_\_\_\_. (Costly/**cheap**)
12. Madhya Pradesh in India provides a number of services to the people through \_\_\_\_\_.  
(**Gyandoot programme**/Gyan Darshan).

# Human Rights

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## Introduction

The basic fact to remember about human rights is that they are not the gift or bounty of any political sovereign through legislation or any edict, but are rights inherent in human existence. The purpose of any law dealing with these rights is merely to recognize them, to regulate their exercise and to provide for their enforcement, and the related matters. Inviolability of some basic rights in a civilized society is based on this premise. Human rights are considered to be universal, indivisible and interdependent.

‘Human rights’ in practice have been defined to include all aspects of dignified human existence which make every human being an equal member of the human family. Human dignity is the essence of human rights. It is the wide understanding of this aspect and appreciation of the range of dignity of the individual which defines the true scope of human rights.

## Objectives

After studying this lesson, you will be able to

- Explain the basic concept of human rights;
- Classify the main categories of human rights;
- Recall the major landmarks in the development of human rights;
- Trace the evolution of human rights in India;
- Recognize the role of non – governmental organizations in the promotion and protection of human rights;

## I. Essay Questions and Answers

**8 Marks**

### 1. What are the six basic features of Human rights?

Ans: Man is a moral and rational being and the every country entitles him to enjoy certain human rights. These Human rights are an integral part of human dignity. They are essential for the all-round development of human personality and for human happiness and progress. These rights are applicable for all humans irrespective of caste, colour, race, sex, religion and other considerations.



**Six features of Human Rights:** There are certain common features of all the categories of human rights. We can identify at least six features which are basic to the concept of human rights.

- 1. People have rights simply because they are human:** All people have the right to lead a dignified and human life, and work towards achieving this for all people. These rights cannot be denied on the basis of caste, colour, religion and gender.
- 2. Human rights are universal:-** People of world nations will enjoy these rights irrespective of colour, race, religion, gender, caste and other considerations. So that they are called universal rights. The developed and developing countries in all continents of the world must guarantee same rights to all their citizens.
- 3. Human rights treat all people as equal:** It means that “all human beings are born free and equal in rights and dignity” and therefore deserve the same opportunities and treatment, while simultaneously respecting their different cultures etc., Government must work to create the same opportunities for all people in the country, but it may involve to provide same opportunities to certain sections in society, e.g. Women, children and the disabled based on different grounds.
- 4. These rights belong Primarily to individuals:** This means that they are concerned with the relationship between an individual and the state. Consequently, it is for the government to create a society where each individual can enjoy and freely exercise his or her rights to the full.
- 5. Human rights encompass fundamental principles of Humanity:** These rights are considered to be basic for the development of human personality and for the sake of human dignity. E.g. of such rights; right to life, freedom from slavery and freedom from torture. They are originated from humanity.
- 6. The promotion and protection of human rights is not limited to national boundaries but rather stipulates certain ideals that apply the world order:** Human rights hold nations accountable for meeting the conditions, which satisfy the promotion, protection and respect for these rights.

## **2. Discuss the significance of human rights in the constitution of India?**

Ans: Human rights are essential for the adequate development of human personality and for human happiness and progress. Two parts of our constitution – Part III and part – IV were devoted to this purpose.

Significance of human rights in constitution of India.

- I. Fundamental rights:-** The constitution of India duly recognizes the importance of human rights and guarantees certain fundamental rights in Part – III, which include : 1. The rights to equality 2. Rights to freedom 3. Right to against exploitation 4. Right to freedom of religion 5. Cultural and educational rights and 6. The right to constitutional remedies. They form the basis for political democracy. They are very important for physical and mental development of the individual. Broadly they deal with civil and political freedoms of Indian citizens. Article 32 gives the right to constitutional remedy in the form of original jurisdiction of the Supreme court of India for the enforcement of these fundamental rights. This is the protection of individuals



against invasion of their human rights.

**II. Directive Principles state policy:** Part – IV of the Indian constitution contains directive principles of state policy which are the principles of fundamental in governance, to be observed by the state in the formulation of its policies. These include the duty of the state to secure a social order for the promotion of the welfare of the people, social justice, right to work, to education and social security. Provision for the just and humane conditions of work, promotion of interests of the weaker sections, duty to raise the level of nutrition and standards of living and to improve public health.

**III. Fundamental duties:-** The fundamental duties of every citizen covering a wide range to strengthen the guarantee of fundamental rights, are in article 51A. (Part – IV A of the constitution). In addition to Article 32, the high court is empowered by article 226, to exercise its powers for protecting the fundamental rights. The primary duty of the higher judiciary to protect and enforce human rights, is the constitutional mandate. Rule of law and judicial review are the basic features of constitution.

**IV. Role of Supreme Court:-** The Supreme court of India also expanding the human rights and it has found Article 21 of the constitution as important one. In several cases the Supreme court has said that compensation is to be given for violation of rights under the article, such as; Right to human dignity, Right to healthy environment right to social security, right to protection of childhood, etc.,

**V. Impact of Universal declaration of Human rights:-** The impact of the 1948 Universal declaration of Human rights on the drafts (Part III & IV) of our constitution is felt throughout. India has acceded to the universal declaration of human rights.

## II. Short Questions and Answers

**4 Marks**

### 1. How can we classify human rights?

Ans: There have been a number of ways classifying human rights. Some of the categories are given below.

**I. Classical Rights:-** These have been defined to include civil and political rights and generally restrict the power of the state in respect of actions affecting the individual.

**II. Fundamental and basic rights:-** With the recent increase in the number of human rights, a concern has arisen that some rights will become watered down. Consequently, fundamental rights tend to be used to indicate more importance of certain rights. Some rights are so important that they must always be given precedence in national and international policy. They include all the rights pertaining to individual dignity.

**III. Collective and individual rights:-** In general, most human rights relate to the individual. It will become apparent that some of them can only be exercised by groups.

**IV. First, second and Third generation rights:** This classification follows the historical development of rights. First are the civil and political rights and second are the social, economic and cultural once. Third one is solidarity rights, for example the right to peace, the right to

development, the right to food and clean environment. Human rights are necessarily dynamic.

## **2. Examine the significance of human rights in constitution of India?**

- Ans:
1. The constitution of India duly recognizes the importance of human rights and guarantees certain Fundamental rights in part – III, which include, 1. Right to equality, 2. Right to freedom 3. Right to against exploitation 4. Right to freedom of religion 5. Cultural and education rights and 6. The right to constitutional remedies. Article 32 gives the constitutional remedy in form of original jurisdiction of the Supreme Court for the enforcement of these rights.
  2. Part IV of the Indian constitution contains directive principles of state policy which are the principles of fundamental in governance, to be observed by the state in the formulation of its policies. These include; the duty of the state to secure a social order for the promotion of the welfare of the people, social justice right to work, to education and social security.
  3. The fundamental duties of every citizen covering a wide range to strengthen the guarantee of fundamental rights are in Article 51A (Part IV A of the constitution). In addition article 32, the High court is empowered by Article 226, to fundamental rights.
  4. The supreme Court of India also expanding the human rights and it has found Article 21 of the constitution as important right to human dignity, right to healthy environment, right to social security, right to protection of childhood, etc., are also be given compensation by the article, for violation.
  5. The impact of the 1948 universal declaration of human rights on the drafts (Part III & IV) of our constitution is felt throughout.

## **3. Write about Universalisation of Human Rights:**

- Ans: Early European charters supporting the idea of certain fundamental freedoms were the Magna carta of 1215, the union of Utrecht in 1579 and the British Bill of rights in 1689. These characters specified certain freedoms.

American bill of rights and the French declaration of the rights of man in 1789 also contributed in the growth of universal declaration of Human Rights.

The rights of the 18<sup>th</sup> and 19<sup>th</sup> centuries can be termed as “Classic” rights relating to the freedom of the individual and were incorporated in many national constitutions. Today, governments provide new category of rights in the field of employment, education, health and welfare. They are termed as social rights. These were first embodied in I.L.O. regulations in 1919.

The preamble to the charter of united nations reaffirms faith in the fundamental human rights. Article 1 of the UN Charter states that promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion is one of the purposes of the United Nations. In 1948, the UN commission on Human rights had drafted the “Universal Declaration of Human rights”.

In 1966 the international covenant on civil and political rights and the international covenant on Economic, social and cultural Rights.

Thus internationally recognized human rights have become a new international standard of civilization.

#### **4. What is role of the national Human rights commission in India?**

Ans: Under the Human rights protection Act, 1993, in India, National Human Rights commission and state Human rights commissions were constituted at National and state Levels for better protection of Human rights.

Human rights are defined in the Act, to mean the rights relating life, liberty, equality and dignity of the individual guaranteed by the constitution and enforced by courts in India. The functions of the commission are enumerated in section 12 which include a wide area to enable the commission not only to enquire into the violations or negligence in prevention of violation of Human rights.

The interpretation of the fundamental rights, particularly, Article 14 and 21 by Supreme court considerably enlarged the meaning and scope of human rights in India.

The National Human rights commission has also interpreted its functions enumerated in section 12 of the Act. The HNRC visualizes its role as that of a catalyst to improve the quality of governance with the firm belief that good governance in accordance with the constitution and the rule of law alone can be effective for better protection of human rights.

The NHRC has investigated several cases of gross violation of human rights by official agencies. When after the enquiry commission comes to the conclusion that violation of human rights has occurred, it may take the following steps.

1. It may recommend to initiate proceedings for prosecution by the concerned government or authority.
2. Approach the Supreme court or High court concerned for directions.
3. Recommend to the concerned government or authority for the grant of immediate interim relief to the victim or members of his family

#### **5. What is the role of Non – Governmental Organizations in the promotion and protection of Human Rights ?**

Ans: The impact of human rights has brought about a profound change on the nations of state sovereignty. But the globalization of human rights with the modern concept of global village, anywhere in the world, human rights may be violated. Voluntary organizations which are called non – governmental organizations all over the world have begun to support and promote human rights in all societies.

The actions of international non – governmental organizations like the Amnesty international and the Human rights watch, and organizations like the people’s union for civil liberties with regard to massive human rights violations in the former Yugoslavia etc., The activities of such organizations are co-originated at the international level through the human rights commission, established by the united nations.

As a result of these activities of the non – governmental organizations it has become familiar’ requirement for states to submit reports to a statutory organ about their implementation of human rights obligations.

Impact of non – governmental organizations with regard to protection and promotion of human rights is no longer debatable. The impact is clear and visible. Along with the genuine human rights

agencies, official or non – governmental, the human rights movement in India is quite strong. One great stumbling block in preventing violation of human rights is poverty.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. What is meant by Human Rights?**

Ans: “Man is a moral and rational being and the very state entitles him to the enjoyment of certain rights, “which are called as Human rights. These are an integral part of human dignity. They are essential for the adequate development of Human personality and for human happiness and progress. They are applicable to all irrespective of caste, colour, race, sex, religion or other consideration. They certain, civil political, economic, social and cultural rights.

#### **2. Classification of Human rights:**

Ans: There have been a number of ways classifying human rights. Some of the categories are given below;

1. Classical rights (for example civil and political)
2. Fundamental and basic rights (they pertaining individual dignity)
3. Collective and individual rights.
4. First, Second and Third generation rights.

#### **3. Name the Universalisation of Human rights?**

Ans: Early European charters supporting the idea of certain fundamental freedoms, namely,

1. Magna Carta of 1215
2. The union of Utrecht in 1579.
3. The British bill of rights in 1689. These charters specified certain Freedoms.
4. The American bill of rights and the French declaration of rights of man in 1789 also contributed in the growth of universalisation of Human rights.
5. The rights of the 18<sup>th</sup> and 19<sup>th</sup> centuries can be termed as classic rights, which were incorporated in many constitutions.

#### **4. What is the significance of human rights in the constitution of India?**

Ans: The constitution of India duly recognizes the importance of human rights and guarantees certain fundamental rights in Part III, at the same time; part IV of the Indian constitution contains directive principles of state policy, which include promotion of social welfare of the people, social justice, right to work, to education and social security. Along with them, union Govt. 10 fundamental duties were incorporated under 51A article in Part IV A through 42<sup>nd</sup> constitutional amendment Act in 1976.

### 5. What are the six features of Human rights?

1. People have rights simply because they are human.
2. Human rights are universal
3. Human rights treat all people as equal.
4. These rights belong primarily to individuals.
5. Human rights encompass the fundamental principles of humanity.
6. Promotion and protection of human rights is not limited to national boundaries but rather stipulates certain ideals that apply the world order.

## IV. One Word Questions and Answers

### A) Intext questions 25-1

#### I. Tick (✓) the correct answer

- a) Human rights are inherent in human existence (True / False)
- b) Classical rights include civil and political rights (True / False)
- c) The promotion and protection of human rights is limited to national boundaries. (True / False)

#### II. Fill in the blanks

- a. Human rights are \_\_\_\_\_ (universal, local)
- b. Human rights are necessarily \_\_\_\_\_ Static, Dynamic, closed)
- c. Human rights encompass the \_\_\_\_\_ principles of humanity (oldest, medieval, fundamental)

### B) In text questions 25-2

Tick ( ) the correct answer

- a) The universal declaration of Human rights was adopted in 1949 (True / False)
- b) Atrocities of second world war mark the start of current era of human rights (True / false)
- c) Human rights like fundamental rights are enforceable (True / False)

#### Fill in the blanks

1. Human rights have now become \_\_\_\_\_ (local, national, Universal)
2. The world leaders gathered in \_\_\_\_\_ for the world conference on human rights (Vienna, Geneva, New York)
3. The rights of the 18<sup>th</sup> and 19<sup>th</sup> centuries can be termed as \_\_\_\_\_ rights (individual, social, classic)

# India's Foreign Policy

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## Introduction

Every sovereign country has its foreign policy. India too has one. Foreign policy refers to the sum total of principles, interests and objectives which a country promotes while interacting with other countries. Even though there are certain basic features of a foreign policy it is not a fixed concept. The thrust of foreign policy keeps on changing according to changing international conditions. India's foreign policy is shaped by several factors including its history, culture, geography and economy. Our Prime Minister, Jawaharlal Nehru, gave a definite shape to the country's foreign policy.

## Objectives

After studying this lesson, you will be able to:

- identify the basic principles of India's foreign policy;
- explain the meaning and significance of non-alignment;
- analyses the relevance of non-alignment in the post cold war period;
- Explain the major concerns in India's foreign policy in the post cold war period;
- Recognise India's contribution to UN efforts for peace and disarmament;
- Explain India's participation in UN peace keeping and its claim for a permanent seat in the Security Council;

## I. Essay Questions and Answers

**8 Marks**

### 1. Discuss the basic tenets or features of India's foreign policy.

Ans. India's foreign policy possesses some distinctive characteristics. Jawaharlal Nehru is the Chief architect of India's Foreign Policy. Non-alignment has been accepted as the corner stone of India's foreign policy.

### **Basic features of India's foreign policy:**

Following are the some of the important basic features of India's Foreign policy.

- 1. Opposition to colonialism and imperialism:** India's foreign policy has persistently opposed all forms of colonialism and imperialism. India expressed her solidarity with the people of Asia and Africa in their fight against imperialism and colonialism. Whenever any injustices happened, India raised her voice, for instance in favour of Indonesia's nationality fighting the Dutch Colonialism in 1947d, against South Africa's illegal occupation of Namibia.
- 2. Opposition to racial discrimination:** From the very beginning India is against all kinds of discrimination based on race and culture etc. India has severally denounced apartheid policy practiced by the white regime of South Africa against black people of South Africa and Namibia. India fully supported inclusion of communist China in the United Nations.
- 3. Promotion of international peace:** The other feature of India's Foreign policy is "peaceful and political settlement of International disputes". India has extended whole hearted support to the objectives principles underlying the United Nations charter and offered moral and material support to United Nations peace-keeping activities.
- 4. Pancha Sheel:** Nehru was a believer in world peace. The production of nuclear weapons strengthened Nehru's faith in the peaceful philosophy. India's desired peace full and friendly relationship to all countries. Particularly the big powers and neighboring nations, while signing an agreement with China, on April 28, 1954. India advocated five guiding principles known as "Panchsheel" for the conduct of bilateral relations. It includes:
  1. Mutual respect for each other's territorial integrity and Sovereignty.
  2. Mutual non-aggression.
  3. Mutual non-interference in each other's internal affairs.
  4. Equality and mutual benefit.
  5. Peaceful co-existence.
- 5. Non-Alignment :** (Non alignment is the soul and substance of India's Foreign policy. It aimed at to maintain national independence in foreign affairs by not joining any military alliance formed by the USA and Soviet Union. It was a dynamic concept which meant not committing to any military bloc but taking an independent stand on international issues. India played an important role in forgoing the non-aligned movement. The policy of non-alignment won many supporters in the developing countries.
- 6. Strengthening of United Nations:** India has always viewed UN as a vehicle for peace and for peaceful change in world politics. India has always expected UN to actively involve countries to moderate their differences through talks or negotiations. Further, India has advocated active role for UN in development effort of third world countries. India has pleaded for a common United front of the third world countries in the UN. This helps constructive and meaningful role in the UN by stopping the super powers from using this world body for their own designs. India supported the UN in the Korean problem, Vietnam crisis, Cambodian problem, Lebanon crisis or west Asia crisis.



## 2. Discuss the relevance of the policy of non-alignment:

Ans. Non Alignment is the corner stone of India's Foreign policy as well as important concept in international politics. Marshall Tito Nasser and Nehru are the chief exponents of non-alignment. It is the product of cold war scenario.

**Meaning of non-alignment:** Non alignment aimed at to maintain national independence in foreign affairs by not joining any military alliance formed by the U.S.A. and Soviet Union in the aftermath of the second World War. Non-alignment was neither neutrality nor non-involvement nor isolationism. It was a dynamic concept which meant not committing to any military bloc but taking an independent stand on international issues.

**Growth of Non-alignment movement:** India played an important role in forging the non-aligned movement. The concept of NAM emerged through a gradual process. Nehru took the initiative to convene the Asian Relations conference in New Delhi in 1947. Later on a conference of 29 countries of Asia and Africa was held in Bandung (Indonesia) in 1955. This was the first gathering of its kind. The first NAM conference was held in Belgrade in 1961. NAM was a logical process to project an alternative to Cold war bloc politics and assertion of newly independent countries of their independent and sovereign rights. It also opposes imperialism.

The non align movement is providing all member states, an opportunity to participate in global decision making and world politics. Since 1961, number of conferences were held among the member states, and took many decisions on world problems. India also hosted seventh NAM summit in New Delhi in 1983. India hoped NAM take up the cause of development, disarmament and Palestine question.

**Relevance of NAM:** Since NAM was a product of the cold war scenario and the bipolar world, many scholars have questioned the relevance of Nam after the end of cold war and demise of the Soviet Union . However , even in the present scenario NAM has a significant role to play.

1. First with the disintegration of Soviet Union, the world faces threat from univocal world. The NAM can act as a check against US dominance.
2. Secondly, the developed (north) and developing (South) world are divided over several economic issues.
3. The NAM remains a very relevant forum for third world countries to engage the developed nations unproductive dialogue.
4. More over, the NAM can prove to be powerful instrument for South-South Co-operation.
5. India continues to take active part in the non-alignment even after the end Of cold war.
6. Finally, the developing countries united under the forum of NAM have to fight for the reform of UN and change it according to the requirements of 21<sup>st</sup> century.

### **3. How far India's claim for a permanent seat in the security council justified?**

Ans. India is one of the original members of United Nations. India has been supporting the UN in maintenance of world peace for a long time. As per the political observers, India has extended its highest contribution towards world peace.

As you already know, the efficiency of peace maintenance in the world depends on the effectiveness of the security council but the council has suffered in this regard due to its out dated unchanged membership. Presently the permanent membership of the security council is confined to US, Russia, Britain, France and China. They are called five big countries.

However, these countries do not take into account the current global power configuration which has changed since the days when they were inducted as permanent members.

Since India has emerged as the fourth fastest growing economy and also because of the leadership it has provided in all international force, its contribution to UN peace keeping, its track record in espousing the cause of the third world. India has a strong case for a permanent seat in the security council. We are getting support from many friendly countries.

Some other countries, like Germany, Japan, Brazil are trying to get permanent seat in security council along with India. But US is in favour of Germany and Japan in this regard.

A final decision on the matter is likely to take some time, because of its complexity.

### **4. What are the challenges that confront India after the end of cold war and disintegration of Soviet Union.**

Ans. The end of cold war in 1989 has brought about significant changes in the international scene and new policy problems for the various States in developing World including India. The new situation is made by greater uncertainty and complexity in India's Foreign policy.

#### **The challenges that India faced?**

For India, disintegration of the Soviet Union has meant uncertainty open several aspects; such as:

1. Supply of weapons system, supply of spare parts, diplomatic support on Kashmir (other politico-strategic issues in and out the U.N.)
2. Loss of Soviet Union's support on politico-strategic issues in and out the U.N. and
3. as a counter weight to US in South Asia.
4. After end of the cold war the world has become unipolar, a number of states have disintegrated, cold war military bloc have lost their significance.
5. Globalisation has given rise to new set of problems such as Terrorism, money Laundering, proliferation of weapons, global warming etc. These problems are not endemic to any region but affect all the countries.
6. Militancy in Kashmir has emerged as the foremost challenge to our Foreign policy. Because of the Kashmir dispute, India's relations with Pakistan sharply deteriorated.

7. The cross border terrorism in Kashmir and other parts of our country is also great challenge to Indian foreign policy.
8. India conducted nuclear weapons test in 1998, followed by Pakistan's tests.
9. Now engaging Pakistan in a constructive and composite dialogue process remains a challenge to India's Foreign policy.
10. Spread of terrorism to corners beyond Kashmir is another challenge to India's Foreign policy.
11. Keeping old friendship and looking for new friendship is another challenge For our foreign policy. For Ex: India is trying to establish a new basis for its relations with neighbouring countries in South Asia, China and the South East Asian countries.

## II. Short Questions and Answers

**4 Marks**

### 1. Write about Pancha sheel.

Ans. It is an important component of India's Foreign policy.

Nehru was a believer in world peace. He understood the linkage between peace for development and survival of mankind. He had seen the destruction caused by the two world wars. The production of nuclear weapons strengthened Nehru's faith in the peaceful philosophy. Hence he gave utmost importance to world peace in his policy planning.

India's desired peaceful and friendly relations with all countries, particularly the big powers and neighbouring nations, while signing an agreement with China, on April 28, 1954. India advocated five guiding principles known as panch sheel for the conduct of bilateral relations. It includes the following:

1. Mutual respect for each other's territorial integrity and sovereignty.
2. Mutual non-aggression.
3. Mutual non-interference in each other's internal affairs.
4. Equality and mutual benefit.
5. Peaceful co-existence.

The Panch sheel agreement enumerates best the principles of peaceful co-existence with neighbours.

### 2. Write about India's contribution to UN efforts for disarmament.

Ans. The United Nations came into existence on October 24, 1945. It has worked to protect the security of people and promote peace and development. India has also contributed immensely to U.Ns. disarmament efforts.

Disarmament is limitation, reduction and possible elimination of dangerous weapons..

India's contribution to UN efforts for disarmament:

India has contributed to UN significantly on disarmament on following grounds.

1. In 1948, India had proposed limiting the use of atomic energy to peaceful purposes.

2. In 1950, India suggested formation of a UN peace fund.
  3. In 1954, India advocated the cause for a comprehensive nuclear test ban treaty.
  4. India was the first to become party to partial test ban treaty ;in 1963.
  5. In 1964, India took the initiative to place the item “non-proliferation of weapons” on UN agenda.
  6. In 1984, India launched a six-nation five continent peace initiative.
  7. In 1988, Rajiv Gandhi proposed an action plan for ushering in a nuclear weapon free and non-violent world order.
  8. India is also an original signatory to the chemical weapons convention.
  9. In 1993, India sponsored a resolution on comprehensive test ban along with US etc.
- India pledged to continue to work for inaugural and non-discriminately nuclear disarmament.

### **3. Write about India's participation in UN peace keeping.**

Ans. India's history of participation in UN peace-keeping operations is a long one. India is one of the original member nations of UN. Peace keeping stands for prevention, containment and termination of hostilities between the states. India's participation in UN peace keeping is explained below.

1. India has taken part in 35 of UN peace keeping operations in four continents .
2. Its most significant contribution has been to peace and stability in Africa and Asia.
3. Presently India is ranked as the largest contributor to UN.
4. India's role in UN peace keeping began with the establishment of the “United Nations Emergency Force in the Gaza, Sinai in 1956.
5. India's contributed to keep unity and integrity of that history in 1960s of UN.
6. After end of the cold war. India's contribution to UN peace keeping remains significant, at the request of the Secretary General of UN to Angola, Cambodia, Somalia, El Salvador and Sierra Leone etc. India sent not just troops, but police, doctors, engineers and administrators.

## **III. Very Short Questions and Answers**

**2 Marks**

### **1. Pancha Sheel:**

Ans. Pancha Sheel agreement held between India and Pakistan over Tibet issue on April 28, 1954. India advocated five guiding principles for the conduct of bilateral relations.

1. Mutual respect for each other's territorial integrity and sovereignty.
2. Mutual non-aggression.
3. Mutual non-interference in each other's internal affairs.

4. Equality and mutual benefit.
5. Peaceful co-existence.

## 2. Non-Alignment:

Ans: Non-Alignment aimed at to maintain national independence in foreign affairs by not joining any military alliance formed by the USA and Soviet Union. It was a dynamic concept which meant not committing to any military bloc, but taking independent start on international issues. Nasser, Tito and Nehru are the chief exponents of NAM.

## IV. One Word Questions and Answers

### A. Intext questions : 26-1

1. Fill in the blanks:
  - a) .....was the main architect of India's foreign policy.....(**Nehru**)
  - b) The Afro-Asian conference, 1955 was held at.....(**Bandung**)
  - c) The first NAM conference was held at.....in the year.....(**Belgrade, 1961**)
  - d) The Panch Sheel agreement was signed between.....and.....(**India and China**)
  - e) India hosted NAM summit in.....(**New Delhi**)
2. Tick ( / ) the correct answer:
  - a) Non-alignment and neutrality can be treated as same ( True/**false**)
  - b) India opposed the policy of apartheid as practiced by the government of South Africa . (**true/** false)
  - c) Nehru along with Tito and Nasser played a major role in the founding of NAM. (**true/false**)

### B. Intext questions – 26.2

1. Tick(✓) the correct answer.
  - a) International relations in the post cold war period is based upon the bipolar model. (true/**false**)
  - b) Kashmir issue became the biggest foreign policy problem for India in 1990s. (**true/false**)
  - c) India's Foreign policy after cold war wants to neglect Arab countries and embrace Israel. (true/**false**)
  - d) India is trying to forgo a coalition of countries to counter terrorism. (**True/false**)

**C. Intext questions: 26.3.**

1. **India has always stood for.**
  - a) **a nuclear weapons free world.**
  - b) a world where every country has nuclear weapons.
  - c) a world where nuclear weapons are selectively held by few countries.
2. What do the following abbreviations stand for:
  - a) **CTBT - Comprehensive Test Ban Treaty.**
  - b) **NPT - Nuclear Non-proliferation treaty.**

**D. Intext questions : 26-4:**

1. The first peace keeping nation with Indian troops was sent to :
  - a) Korea
  - (b) Sinai**
  - (c) Congo.
2. Which of the following statements is false.
  - a) India is one of the second largest troop contributors to UN peace keeping.
  - b) Peace keeping was confined to cold war years.
  - c) India's role was significant in protecting the Congo from separation.**
3. India's contribution to peace keeping included :
  - a) only troops
  - (b) only non-military staff
  - (c) both military and civilian staff.**

**E. Intext questions :26-5:**

1. Which of the following is not a permanent member of security council.
  - a) Russia
  - (b) Great Britain
  - (c) India**
  - (d) China.
2. Which of the following statements is false :
  - a) Cold war is over.
  - b) Soviet Union has disintegrated.
  - c) Globalization is a reality.
  - d) United Nations has been dissolved.**



# India's relations with USA and RUSSIA

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## Introduction

After the Second World War (1945), the United States of America (USA or US in short) emerged as one of the two super powers, the other being the Union of Soviet Socialist Republics (USSR/Soviet Union). These countries were militarily and economically so strong as compared to other states that they could project their power to every nook and corner of the world. When India attained independence in 1947, it wanted to have good relations with both the countries. It was widely believed that a natural tie would exist between India and the US since India seemed destined to emerge as the world's largest and Asia's first, fully democratic state. And the US was considered the most powerful and celebrated democracy of the world. So far as the relationship between India and the USSR was concerned, a number of commonalities were easily noticed. But the directions of India's relationships with these two countries took different courses.

## Objectives

After studying this lesson, you will be able to:

- recognize US support for India's struggle for independence;
- Identify problems in Indo-US relations during the Cold War period;
- analyse Indo-US relations in the light of contemporary issues;
- explain the strong ties between India and the erstwhile Soviet Union in Political and economic fields;
- Identify the areas of cooperation between India and Russia;



## I. Essay Questions and Answers

8 Marks

### 1. Write a note on the Indo-US political relations during cold war.

Ans. India and US are two great democracies. But for a long time the relationship between them was far from smooth. During the Freedom struggle in India, there was a wealth of good will for India's independence in the US India also opposed the imperialistic attitude of Hitler. India expressed her happiness towards the Atlantaiac charter had offered hope of a new dawn to the suppressed people of the world.

#### **Indo-US political relations during cold war.**

During the cold war, Indo-US relations were deteriorated because India had followed by the policy of Non-alignment . The political relations between India and the US failed to achieve their full potential. Many factors were responsible in determining the actual course.

1. The newly independent India, refused to be drawn into the cold war politics of competitive military alliances.
2. Nehru choose the policy of non-alignment for the sake of independence of action in the sphere of foreign policy and relations.
3. After the birth of communist China in 1949, India's quick recognition to it evoked sharp criticism In the western and Amercian presses.
4. The relations between the two got strained when the US supplied arms to Pakistan in the mid 1950s.
5. The American press criticised India's attitude towards Korea as a policy of appeasement.
6. Indo-American political relations were deteriorated. The cause of better Into-US relations received a blow in 1954 . The US aided Pakistan, given to check the spread of communism, was used against India contrary to initial assurances.
7. The American press and government sternly criticized Indian operation in Goa, in 1961.
8. The October 1962 war between India and China introduced a new element in the Indo-Us relations. When the Chinese invasion scaled up, the Government of India made an urgent appeal to US for military supplies. In a speedy response , the US President John. F.Kennedy provided India with small arms and equipment. Us also protested the China's invasion on India.
9. The Pro-American good will in India evaporated with the US reluctance to openly blame Pakistan for starting the 1965 war against India.
10. In addition to US support to Pakistan, US war on Vietnam contributed to certain coldness in Indo-US relations in 1960s.
11. In the beginning of 1970s, the US rapprochement with china was an other turning point.

12. During the Bangladesh war (1971) the US moved a anti India resolution in the security council and froze its economic assistance to India.
13. A part of the US seventh Fleet was ordered into the Bay of Bengal. The nuclear powered aircraft carrier USS Enterprise sailed towards Bay of Bengal in show of solidarity with Pakistan army.
14. It took some time for the US to recognize India as the major country in the South Asian region.
15. It was in this spirit of reconciliation, India hosted President Carter's visit in 1977.
16. The Soviet invasion of Afghanistan in 1979 had thrown India and United States on opposite sides. Pak also became very closer to Afghan Mujahiddeen. No doubt India's initial sympathies with the Soviet action against Afghanistan harmed relations with America.

## **2. Write a note on Indo-US economic relations?**

Ans: Till 1947, when India got independence, the relations between India and US were cordial. Both the countries got independence from the British. US was the country to give economic assistance to India by the time of independence. But American Economic assistance had played a crucial role in India's economic development.

### **Indo-US Economic relations:**

There was a slow start to the economic assistance that India received from the US.

India's food production at the time of independence was insufficient to feed its millions. Its industrial and service sector were also quite backward. That is why, India was dependent on other countries for bilateral assistance.

1. US has given economic aid to India in different forms. The first of the many food aid shipments to India from the US started in 1951.
2. In 1954, the US congress passed a public LAW 480 (PL 480) allowing the sale of surplus American wheat to India. India continued to receive food grains from the US under PL 480 till the early 1970s.
3. America had given economic assistance to India many times to face famines.
4. Through Ford foundation, Indo-US technological co-operate programmes US had given economic aid to India.
5. US had given economic aid to India for community development programmes and five years plans.
6. The story of suspicions in political relationship uses only one side of the coin.
7. During the cold war, despite political differences, India received significant and Food aid from the US, right from 1950s.

8. In addition to food assistance, the US had provided large bilateral developmental assistance to India. This assistance was not available for the development of heavy industry but in the field of agriculture, development of raw materials and minerals.
9. For creating a heavy industrial base, India had to turn to the Soviet Union. The development assistance given by the US reached peak of around \$500 million in 1962.
10. During the Bangladesh War, the US Froze its economic aid to India. However, the bilateral assistance started in 1978.
11. The importance of bilateral aid decreased from the late 1970s onwards, because of the substantial increases in multilateral assistance given by the IDA , the soft money affiliate of the world Bank. Much of the IDA money founded indirectly by the U.S.
12. In the 1980s, the World Bank lending typically ran into \$2 billion.
13. US had no objection to clear India's request for a \$ 5.8 billion from the IMF in 1981.

After end of the cold war gradually, certain changes have taken place in the Indo-US relations. A new chapter has been started in Economic and Military fields between the two nations. US came forward to invest the capital in India, is also providing employment opportunities .For Indians in technical and Service Sectors.

### **3. High Light the major achievements of Indo-USSR relations during cold war?**

Ans: Indo-Soviet relationship was based on a number of common grounds from the beginning. India having won freedom from the British, the anti-imperialism ideology of the Soviet union compared well with each other.

Nehru gave much importance to Russia in maintaining friendly relations. In June, 1955 Nehru visited Russai whereas in November –December same year, Russian Leaders also visited India. Because of this only two countries developed cordial relations.

High lights of Indo-US relations during cold war.

In April, 1947 the interm Government of India and the Soviet government decided to establish diplomatic relations.

1. In August 1947, the first Indian ambassador to the Soviet Union, Mrs. Vijaya Lakshmi Pandit, reported in Mascow.
2. The first Soviet Ambassador to India, NOVIKOV, arrived in India in J anuary 1948.
3. Emergence of communist China and Indo-Chinese friendship is also important in the determination of Indo-Soviet relations.
4. The Soviet Union has extended crucial political supports on many vital Issues of India's National interests.
5. The Society economic and military assistance has lessened India's Dependence on the west and strengthened her non-aligned posture in World politics.

6. The personal diplomacy cultivated the full extent by both Khrushchev and Nehru had played a dynamic role in promoting Indo-Soviet Friendship.
7. In the security council the Soviet Union supported India's position on Kashmir and vetoed unacceptable resolution moved by the western countries.
8. Highly significant was Soviet aid in developing heavy industrial complex in India.
9. During the late 1950s, the Soviet Union gave growing financial and technical assistance to India for the development of India's basic industries in steel, coal, machine, tool manufacturing and other public sectors area.
10. One of the land mark agreements that India signed with the Soviet Union was in February 1955 for the setting up of a steel plant in Bhilai.
11. The terms of Soviet aid were favorable to India, when the western countries were charging 6% , the Soviet union charged only 2.5%
12. In December 1953, India and the Soviet Union signed a long term trade agreement. It is known, the fact that payment for Indian imports could be made in rupees and not in hard currency like dollar.
13. Military supplies to India emerged as a prominent symbol Indo-Soviet friendship.
14. In 1962, just before the Indo-China war, the MIG (the fighter air craft) deal was signed despite Chinese protest. The USSR replaced the British.
15. The Soviet Union hosted a meeting of leaders of India and Pakistan in Tashkent in January 1966 after the 1965 war.
16. In August, 1971 the Soviet Union and Indian Leaders signed the historic Treaty of peace; Friendship and Cooperation, the first of its kind India had signed.
17. The Treaty provided for immediate mutual consultations in case either country was attacked from outside.
18. On 29<sup>th</sup> November 1973 a declaration was made by the Indian and Russia in Delhi for the development of mutual cooperation between India and Russia. As per the declaration , Russia provided technical help for exploration of oil and natural gas.
19. Gorbachev provided Soviet help for large number projects in India.

#### **4. Analyse the Indo-Russian relations in the Post-cold war phase :**

Ans: After the disintegration of the Soviet union in December 1991, under the new Russian President Boris Yeltsin too continued with policy of building close cooperation with the US and west and also with India.

Indo-Russian relations in the Post cold war.

1. During Yeltsin's visit to India in 1993, the treaty of friendship and cooperation was signed between India and Russia . It replaced the 1971 Treaty of peace, friendship and cooperation.

The security clause of the earlier treaty was abandoned while the two countries resolved to continue their peaceful and friendly relation.

2. Another important development was the agreement on debts and Ruble-Rupees exchange rates.
3. A treaty on cooperation in military field was also signed and yet it conformed once again that India would receive "Cryogenic rocket engines" despite US objections.
4. The Indo-Russian relations attained a new high and momentum with the signing of declaration on strategic partnership during the visit of Russian President Vladimir Putin.
5. The Indian Prime Minister Vajpayee's November 2001 visit resulted in the signing of the declaration on international terrorism.
6. This declaration condemned the double standards adopted by the west on Terrorism.
7. Russia is the only important world power that has consistently supported the Indian position on Kashmir and cross border terrorism.
8. The most recent support for Kashmir came in the form of the joint statement issued at the end of three days visit of Prime Minister Vajpayee to Moscow in November, 2003.
9. Among the permanent members of the UN, security council Russia is unequivocal supporter of India's candidature for permanent membership in security council.
10. Russia remains India's most reliable supplier of high-quality military equipments, such as, fighter aircraft (MIG-21), main battle tanks, (T-72MI) helicopters, anti tank missiles, nuclear submarine, etc.
11. In January 2004, India agreed to buy the refurbished Admiral Gorkhov along with 12 Mig fighter aircraft.
12. The most important development between the two countries is, manufacture and market the supersonic Anti-ship cruise missile systems, Brahmos.

Indo-Russian trade is the weakest link, but the economic interaction between the two is brightened by co-operation in new areas like energy and security.

A number of thermal and hydropower projects have already been built with Russian collaboration in India.

India's ambitious goals in the field of nuclear energy need Russian help. Over all, the immediate post cold war period did see some what downturn in the relationship but recently it has been put on track

## II. Short Questions and Answers

4 Marks

### 1. Describe the Indo-US relations with regard to the nuclear issues.

- Ans:
1. The relations between Indo-US on nuclear issues are crucial. US besides Canada helped India established nuclear power stations in 1963.
  2. But the cooperation came under a cloud in 1970s, because of India's peaceful nuclear explosion at Pokhran in 1974 and India's refusal to sign nuclear non-proliferation treaty.
  3. In 1978, the US congress passed the Nuclear Non-proliferation Act in 1978. This law stipulated that uranium could be exported to those countries which allow all their nuclear plants to be inspected by Atomic Energy Agency (IAEA)
  4. The US hoped that India would sign the Comprehensive Test Ban Treaty (CTBT) of 1996, but India did not and again India nuclear explosion at Pokhran in 1998, for that, the US imposed military and economic sanctions.
  5. Bilateral relations seemed to have reached a new low, for two years a number of discussions between Jaswant Singh (then foreign minister of India) and Strobe Talbot (then US Deputy Secretary) were held. Not since the early 1960s had the two countries engaged each other in such a serious and sustained fashion.
  6. In 1999 US congress lifted some of the sanctions against India.
  7. Recently, there is growing awareness in the US to recognize India as a responsible country with nuclear weapons.
  8. The role of the young Indians in the information technology added a new dimension to the trade between India and the US.
  9. IT professions, who settled down in the US became the most successful single ethnic group there. They helped create a different image of India in America.

### 2. Analyze the Indo-US relations with regard to terrorism.

- Ans:
- Controlling the terrorism is another dimension between the Indo-US relations. India pleaded many times to US to control the terrorism. Actually, terrorism is a national and international issue. Following are the Indo-US relations with regard to terrorism.
1. India tried to impress the importance of fighting the menace of terrorism, by highlighting Pakistan's role in Jammu and Kashmir. But US did not show interest till 11<sup>th</sup> September 2001.
  2. India offer full co-operation to the US in counter terrorism campaign.
  3. Our plea to US that Pakistan's support to Taliban in Afghanistan, and Jihadists in Kashmir made it the epicenter of the international terrorism fell on deaf ears.

4. US extended sympathy when terrorist attacked Kashmir's assembly and India's parliament in October and December 2001 respectively.
5. Anxious to enlist allies in the war against terrorism, USA reverted to cold war partnership with Pakistan.
6. Washington welcomed musharraf's international coalition against terrorism, and Bush administration lifted the conditions against Pakistan. As result India legitimately feared that Washington world tilt towards Islamabad once more
7. USA was alarmed that events might go out of control. To show new Delhi that it took seriously India's accusations about pakistan's collection in the attacks, president Bush placed the two pakistan's based groups, India thought responsible for the attacks on the US list of terrorism organizations.
8. Washington's words and actions clearly implied that Islamabad could and must do more to crack down on terrorism.

### III. Very Short Questions and Answers

**2 Marks**

#### 1. Describe the cold war/ What is meant by cold war.

Ans: The term "Coldwar" was first coined by Bernard Baruch and it was taken up by Walter Lippmann to describe, "bitter rivalries and hostilities between the USA and USSR. In post war era. As a concept in international politics, it refers to a state of continuous conflict maintained and perpetuated without a direct war between rivals.

### IV. One Word Questions and Answers (In Text Questions)

#### A) Intext Questions 27-1..

Fill in the blanks:

1. Indo-US diplomatic contacts began in.....)1941/1947)
2. Which was the military alliances US found in Asia .(SEATO/CENTO)
3. Name the American President who visited India in 1977. (Jimmicarter/Tick and Nixon)

#### B) Intext Questions : 27-2.

Tick (✓) the correct answer.

1. The American Arms came to India without political conditions. (true/False)
2. The Bangladesh war of 1971 strained Indo-US relations. (True/false)
3. During the Clinton administration Indo-US relations Improved. (ture/false)
4. USA is against proliferation of nuclear weapons. (True/False)



5. USA reacted to India's nuclear tests in 1998. (True/false)
6. The American congress passed.....to allow sale of wheat to India. (PL 480/408)
7. The development assistance from US to India reached a peak in...(1962/1965)

**C) Intext questions – 27-3.**

Fill in the Blanks

1. Which steel plant in India was financed by the USSR. (Durgapur/**Bhilai**/Rourkela)
2. In which year Soviet Leaders visited India for the first time...(1955/1957/1971)
3. When was the Tashkent declaration signed..... (1966/1971/1974)
4. In which year the treaty of peace, Friendship and Cooperation with USSR was Signed.....(1971/1979)
5. The Soviet foreign policy shifted radically under the leadership of..... (Mikhail Gorbachev/**Mr. Putin.** )

## India and Its Neighbours: China, Pakistan and Srilanka

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### Introduction

In the previous chapter you have learnt that the major objective of India's policy has been the promotion of international peace and cooperation and developing friendly relations with all countries, especially the neighbouring countries, Pakistan, Bangladesh, Nepal, Sri Lanka, Bhutan, Burma and China are India's immediate neighbours with whom it has friendly relations based on bonds of common culture and heritage.

In this lesson we will study about India's relations with Pakistan, China and Sri Lanka.

### Objectives

After studying this lesson, you would be able to:

- identify the major sources of friction in Sino-Indian bilateral relations;
- Identify the various initiatives for resolving the border dispute with China;
- analyse Indo-Pak bilateral relations in the historical perspective of Kashmir Problem;
- identify the nuclear rivalry between India and Pakistan;
- Trace historical, cultural and ethnic ties between India and Sri Lanka; and
- Explain the growth of Tamil Separatist Movement and its impact on Indo-Sri Lankan relations;

### I. Essay Questions and Answers

**8 Marks**

#### 1. Explain normalization of the relations between India and China since 1990's

Ans: India and China are the two great giants of Asia. Historically, several historians have successfully traced the cultural linkages dating back to 2<sup>nd</sup> century B.C.

India was the first non-Communist country to recognize communist China in 1949. It fully supported China's claim for membership in the United Nations. It also acknowledged China's claim over

Formosa (Taiwan). It refused to be a party to peace treaty with Japan without China. There are many incidents took place between the two countries for developing friendly relations. But unfortunately in October –November 1962, Indo-China war took place, that resulted, for three decades, the relations between the two countries being stopped. After 1990's the relations between the two countries resumed.

### **Normalisation of Relations between Indo-China, since 1990.**

Although the two countries resumed diplomatic relations in 1976 by exchanging ambassadors. In 1977, Foreign Minister Atal Bihari Vajpayee, of Janata Government, visited China and improved the good relations between the two countries.

1. The efforts of normalization of Sino-Indian relations received a boost when the Prime Minister Rajiv Gandhi Paid a successful visit in China in 1998. Two countries pledged to settle the border dispute through dialogue.
2. Several high level visits followed including visit by Ex-Prime Minister Atal Bihari Vajpayee in 2003.
3. The two countries agreed to keep the border dispute apart, and develop friendly relations in other fields. Until the border dispute is resolved, both countries agreed to maintain peace and tranquility on the line of Actual control. (LAC)
4. One could see a clear shift in the Chinese attitude towards India. The fact that erst-while USSR had mended fences with China.
5. President Jiang Zemin's visit to India in 1996 witnessed a major consolidation of this progress.
6. China's withdrawal of support to Naga and Mizro rebels, meaningful silence on the Status of Sikkim and a neutral stand on Kashmir issue could be seen as positive shift in Chinese attitude towards India.
7. Suddenly a brief setback in the mutual ties of the two after the nuclear explosions by India during 1998. There were followed by sharp Chinese reaction and its leading role in getting the resolutions condemning the tests in UN and similar fora, passed.
8. But the Chinese posture of mutuality during the Indo-Pak military showdown in Kashmir, Kargil sector in 1999 exhibited China's inclination to toe a softer and friendly line with India.
9. Ex-Prime Minister Vajpayee's 2003 visit to China is a renewed efforts in the promotion of close relations between the two countries.
10. The border agreement has recognized the Nathula Pass in Sikkim as a border pass, implying that China no more considers Sikkim as an independent State.
11. Another positive breakthrough was the joint declaration that underlined the need to explore a framework of a boundary settlement at political level of bilateral relations.

12. India's National security advisor and Chinese Vice Minister have been appointed for holding the tasks.
13. The developments at the diplomatic and political levels have been supplemented by fresh initiatives at the economic level to strengthen bilateral relations.
14. The border trade between India and China has crossed \$10 billion quickly.

**2. Kashmir is the root cause of all problems between India and Pakistan. Do you agree ?**

Ans: No two countries in the world have so much in common as India and Pakistan. Yet they have perpetually been in a state of undeclared war with varying degree of intensity. Pakistan's aggression in Kargi (1999) brought the two countries even on the verge of a nuclear confrontation.

Pakistan was concerned at the possibility of India's domination in the region and its inability to match India's power all by itself, Pakistan developed a perception that it is an incomplete State without Kashmir being incorporated into it. On the other hand, India perceives Kashmir's accession and integration into India as an essential element of its secular and Federal democratic structure. The problem that vitiated Indo-Pakistan relations was "Kashmir"

**The Kashmir issue:** At the time of partition, Jammu and Kashmir was one of those several princely states; Pakistan had an area of 84,471 Square miles, Pakistan desired that Kashmir with muslim majority population should join muslim country, Pakistan. But the popular leader of National Congress opposed Pakistan's ideology. Maharaja Hari Singh did not take a decision until Pakistan sent armed intruders into the Kashmir valley in October, 1947. Seeking Indian help to repulse the Pakistani intruders Maharaja signed the "instrument of Accession making Jammu Kashmir a part of Indian Union. Pakistan was dissatisfied with this. Nehru assured that after Pakistani aggression was cleared. The future status of the State would be decided on the basis of wishes of the people of Kashmir.

Actually Pakistan claimed Kashmir on grounds of religious affinity and precipitated the 1948 war.

Since India did not want an open clash with Pakistan, it referred to matter to the United Nations. Indian Forces saved Srinagar from the invaders, pushed back the Pakistanis in the Kashmir valley. But the whole of Kashmir could not be recaptured, as it would have meant direct and difficult war between two new nations. India sought United Nations help in 1948.

A ceasefire came to be implemented on January 1, 1949. It left a large part of Jammu and Kashmir (nearly 2/5 of the State) under Pakistan's possession, which we call Pakistan occupied Kashmir. In 1950 the UN mediators put forward several plans to resolve the dispute, but they failed to bridge the differences between the two countries.

The problem of Kashmir is still pending, plebiscite was to be conducted only after Pakistan withdrew its forces from the occupied territory, as per the UN resolution of 1948, which Pakistan refused to comply.

But either UN resolution or other proposals could not be implemented . The same situations are usually continuing in Kashmir. The following conditions prevailed in Kashmir.

1. Hence India pleaded that the wishes of the people were ascertained in 1954 in the form the direct elections to the constituent assembly which satisfied the accession of Jammu and Kashmir to India. But Pakistan was desperate to capture Kashmir.
2. Thinking that India's army was weak after defeat In the war with China in 1962, Pakistan tried through a war to take Kashmir in 1965. But the Indian forces defeated the Pakistani designs.
3. The another humiliation was, when Pak's eastern wing, 1000 miles away from west Pak, successfully waged independence In 1971. India played a key role in the war to liberate Bangladesh.
4. The birth of Bangladesh proved to be the final burial of two nation theory on the basis of which Pakistan put a claim to Kashmir, Pakistan was reduced to 1/4of the size of India.
5. In order to normalise relations India invited Pakistan for an agreement , the result of which was the Shimla pact of 1972. This agreement bears that the two countries agreed to seek the settlement of all bilateral problems, including Kashmir, without the intervention of third party.
6. But Pakistan ignored the Shimla pact, whereas now and then it raises in international forms the issue of Kashmir.
7. Though Pakistan's territory in India's possession was returned , a new cease-fire line was drawn, which is known as the LOC.
8. Pakistan found ways other than open war to destabilize in by encouraging and assisting terrorism in Punjab and the state sponsored militancy in Jammu and Kashmir since the mid 1980s.
9. Pakistan still continues to encourage terrorist and separatist tendencies in Kashmir, operating mainly from terrorist training camps situated in Pak.
10. The sanctity of the LOC, under the Shimla pact of 1972, was violated by Pakistan in May, 1999. This was doe when the Pakistani Forces infiltrated into India.
11. after crossing the line of control in Kargil, Drass, and Batelik sectors of Jammu and Kashmir. The purpose of Pakistani operation in Kargil was to create a crisis with a threat of nuclear war, but Pakistan could not deaft India.

In fact Pakistan had a diplomatic and military defeat. Therefore both countries are frightened to conduct nuclear tests, encouraging terrorism, participate in Kargil war and to develop commercial trade due to Kahmir issue. So, the Kashmir issue is the major root cause of the these all problems between India and Pakistan.

Thus this issue between India and Pakistan is also internationally discussed aspect.

## II. Short Questions and Answers

4 Marks

### 1. Discuss the causes of 1962 war between India and China.

Ans: India and China are the two big countries of Asia. Historically several historians have successfully traced the cultural linkages dating back to 2<sup>nd</sup> century. B.C. India was the first non-Communist country to recognize Communist China in 1949. It fully supported China's claim for over Formosa (Taiwan). There many incidents took place between the two countries for developing friendly relations. But unfortunately, in October-November 1962, Indo-China war took place, that resulted for three decades, the relations between the two being stopped.

#### Causes of 1962 war between India and china .

Following are the causes of boundary dispute between India and China.

1. The 1950s were marked by the boundary dispute between India and China, the Flash point of which unfortunately caused a war between the two countries in 1962.
2. China First started to claim large parts of Indian Territory in North East Frontier Agency (NEFA) and Ladakh by publishing maps in which these were shown as included in China.
3. China continued extending its borders and also constructed a 110 mile long road across Aksai China area (Ladakh) of India in 1956-57.
4. In 1959, China put claim to some 50, appa sq. miles of Indian territory and also divided the validity of Mecmohon line.
5. But this time Tibet had been fully integrated into China: It was in a strong position at the India –China boarder with Chinese troops posted all along.
6. While the two countries were in dispute over the Memahon line issue , China launched a massive attack on India in October 1962, in the NEFA as well as the Ladakh Sector.

After over running large areas of Indian territory, China announced a unilateral ceasefire after occupying huge territory of India 200 Sq. miles in Ladakh.

A futile attempt to work out a peaceful settlement between the two countries was made by Srilanka. The Colombo proposals failed because China refused to agree on conditions contained in them.

### 2. Trace the causes of the separatist problem in Srilanka.

Ans: Srilanka, earlier known as Ceylon (Unitl 1972) is a small island country situated in the Indian ocean to the South of India. Its total area is 25,332 Sq. Miles. Only 18 miles far away from the southern most tip of the Indian State of Tamil Nadu. The relations between India and Srilanka can generally be termed as friendly , except for the brief spell in which the Tamil ethnic problem cast its shadow on the relations of the two countries.

### **Problems of Indian Tamils - causes of separatism.**

Jaffna province of Srilanka has large concentration of Tamil population. The problem became serious when Tamilians began demanding a national home land or Eelumim northern Srilanka. There are two category of Tamilians in Srilanka. 1) The Ceylon Tamils whose forefathers had migrated to Srilanka centuries ago. 2. The second category is of Indian Tamils whose forefathers were taken by the Britishers as plantation works in 19<sup>th</sup> century. Many of them without citizenship. The ethnic problem between Tamils and Sinhalese had a long history. It assumed serious proportions in 1983.

1. As the Gulf between the communities developed, militancy separatist Organizations became active.
2. Tamil United Liberation Front (TULF) demanded separate homeland for Tamils in 1988- Tamil Eelam
3. A region of terror was unleashed against the agitating Tamils in 1983.
4. During 1983-86 , about 2 Lakh Tamils were rendered homeless.
5. The worst racial riots in the history of the country made thousands of Tamils refugees in India.
6. The Sinhalese fear Tamil domination, which is the principle reason behind the ethnic conflict.
7. The representation of Tamilians in public service In 1948 was 30% , but by 1975 it had fallen to mere 5%.
8. The Sinhalese were encouraged to settle down in Tamil dominated area I large number.
9. The citizenship law of 1948 and 1949 had deprived about 10 Lakh Indian Tamils of political rights.
10. The Tamil youth who had lost faith in non-violence, organized themselves into Liberation of Tigers, etc.

### **3. Discuss the steps taken by India to help resolve the Srilanka problem.**

Ans: The relations between India and Srilanka can generally be termed as friendly, except for the brief spell in which the Tamil ethic problem cast its shadow on the relations of the two countries.

#### **Role of India in solving the Tamil problem in Srilanka.**

Though the homeland problem Tamils partly solved, the Tamilians cannot bare the domination of Sinhalese. From 1980 onwards, actually the separate movement between the two countries started attacks, each other frequently .As the result of attacks, Tamil Eelam movement was strengthened. During 1983-86 about 2 Lakh Tamils were rendered homeless due to continues attacks of Srilanka Government. Gradually violence was at highest stage. More and more violence and reactions had developed . The TULF and LTTE tried utmost to protect their rights.

India offered to help resolve the crisis but it was interpreted as “Indian intervention in Srilanka” on behalf of the Tamils when the situation became grim, India and Srilanka signed an agreement in July, 29 1987. India agreed to send its army to seek the surrender of arms by Tamil militant groups in north-Eastern Srilanka. Some of these groups were demanding a separate” Eelam or



State for Tamils, India wanted a United Srilanka with full protection of Tamils. In the beginning things moved smoothly, but later LTTE led by Prabhakaran refused to laydown arms. India decided to force LTTE to surrender.

Indian peace keeping Force (IPKF) was sent to SriLanka to help restore normalcy in the country. The deployment of IPKF was also an extension of India's policy of reminding SriLanka and out side powers that if their involvement inside the region were to have an anti-Indian orientation, New Delhi would not remain a mute spectator.

The accord of 1987 was a triumph of Indian diplomacy. India lost about 1200 soldiers and it costed Rs.2 crore a day on IPKF in the height of its involvement. The worst part was that the tamils turned against IPKF and a fighting broke out between the two. Rajiv Gandhi , the architect of India-Srilanka accord of 1987 was assassinated in 1991 at the behest of LTTE leader, Prabhakaran.

India encouraged Srilanka to invite the peace process between the Tamils and the Sinhalese. India stands for unity of Srilanka. The greatest milestone of this process was the cease-fire agreement of 2002 between LTTE and Srilanka and the revival of the dialogue between these two.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. Write any three causes of 1962 Indo-China war.**

- Ans: 1. The 1950s were marked by the boundary dispute between India and China, Which is unfortunately cause of war between India and China in 1962.
2. China continued extending its boarders and also constructed a 110 mile long road across Akasi China area (Ladak)of India in 1956-57.
3. In 1959, China put claim to some 50, appa Sq.miles of Inidan territory and And also denied the validites of McMahon line. Etc.,

#### **2. Write about Kashmir issue between India and Pakistan.**

- Ans: At the time of partition Jammu and Kashmir was one of those several Princely states, the fate of which left uncertain . Pakistan desired that Kashmir with Muslim majority population should join Muslim country, Pakistan,

As a result, in October 1947 Tribals assisted by the Pakistan arms revolted and Maharaja appealed for help from India. India opined she could send her army only if the Maharaja acceded to India. This India conditionally accepted the accession of Kashmir. On Kashmir issue, India and Pakistan fought each other many times.

#### **3. Write four causes of the separate problem in Srilanka.**

- Ans: Following are the causes of the separate problem in Srilanka.

1. As the Gulf between the communities developed militancy, separatist organizations became active.

2. Tamil United Liberation Front (TULF) demanded separate home land for Tamils – Tamil Eelam.
3. A region of Terror was unleashed against the agitating Tamils in 1983.
4. During 1983-86, about 2 Lakh Tamils were rendered homeless, etc.

#### IV. One Word Questions and Answers (In Text Questions)

##### A) Intext questions 28.1 :

Fill I the blanks.

1. China became a communist country in the year.....(1947/**1949**/1962)
2. Bandung conference of Afro-Asian countries was held in the year.....(1945/1949/**1955**).
3. ....serves as the boundary line between India and China in the estern sector . (Huang Hva Boarder ) **MC Mahon Line**/ Indo-China border)
4. China liberalised its economy in .....(early 1070s/**late 1970s**/early 1990s)
5. ....the President of China visited India in the year 1996.(Chou Enali/Mao Tsc Tung/**Jiang Zemin**)

##### B) Inext questionis 28-2:

State whether the following statements are true or false.

1. The two nation theory was accepted by Indian national congress. (True/**false**)
2. Maharaja Hari Singh of Jammu and Kashmir demanded assistance from both India and Pakistan but only India responded. (true/**false**)
3. Pakistan occupied Kashmir is known as Azad Kashmir in Pakistan. (**True**/False)
4. The people of East Pakistan declared themselves independent in April, 1971 . (**True**/false)
5. The Shimla agreement was signed between India and Bangaladesh in 1972 (True/**false**)
6. Kargil war happened immediately after the nuclear test by India in May, 1972 .(True/**false**)

##### C. Intext questions- 28-3.

**One word answers.**

1. When did Srilanka gain her independence ? (**Feburary 4<sup>th</sup>, 1948**)
2. Name the two categories of Tamil speaking people in Srilanka.

**(Indian Tamils and Ceylone Tamils)**

3. Regarding which island did India surrender her claims to Sri Lanka in 1974? (**Kacchataivu Island**)
4. In what year did India send IPKF to Sri Lanka. - **1987.**

# Contemporary World Order

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## Introduction

The world of today consists of nearly 200 states, which are also known as countries. They are similar in many ways. Each enjoys independence with a government to administer an army to protect the country against foreign invader. But, at the same time, states are different in their geographical size, population, natural resources, economic conditions and type of government, etc., however no country – whether strong or weak, big or small – can afford to conduct its affairs in isolation. They need to live together and work with others for mutual benefit.

Although world affairs is mainly the sum total of relations among states, it is not limited to states only. Contact and co-operation between ordinary people like us in our capacities as tourists, journalists, businessmen, sportsmen, etc. are growing very fast. With satellite technology and introduction of mobile, telephone conversations between people living in distant countries has become easy. Not only this but also the live telecasts of sports, political or cultural events or even of wars are brought to our sitting rooms by cable television. All these developments have virtually made the huge world into a village where a sense of together prevails and problems are handled in that spirit. Hence, it is essential for us to be aware of the happenings around the world. That necessarily includes trends in world around us and also its problems.

## Objectives

After studying this lesson, you will be able to

- Explain the meaning of “World order”;
- Discuss the working of bipolar world during the cold war years;
- Trace the emergency of a multipolar world;
- Recognize that after the end of the cold war, the world order has become unipolar;

- Recall the enormity of human suffering on account of wars, violence and terrorist activities in the contemporary world;
- Explain the meaning of globalization and the factors responsible for it;
- Recognize the growing economic inequalities between the rich and the poor countries in the contemporary global order;

## I. Essay Questions and Answers

8 Marks

### 1. Outline the meanings and basic features of world order?

Ans: Order indicates a condition in which everything is in its correct place. It also refers to respect for and enforcement of rules.

**World order – its meaning:-** In the world affairs “order brings a certain method in the way one country conducts its affairs with other states”. The method can be noticed in the form of a set of rules and principles, which are commonly accepted and respected by governments. These rules and principles include; (a) equality all countries (b) that one country should not interfere in the internal affairs of another state (c) that prisoners of wars and refugees should be treated humanly etc.,

For assisting countries to make and implement these rules, they often establish common institutions like the United Nations. They assist in sorting out differences and problems between countries through dialogue and diplomacy.

**World order – its features:-** In the light of realities, you may wonder how the situation could be described as world order. No doubt, a lot is unsatisfactory, but it is also true that a lot more in world affairs is orderly which is not readily noticed. For example,

1. Exchange of diplomats, rules regarding wars postal communication, air and sea traffic, treatment of foreigners, exchange of currencies and part of international order.
2. The second other aspects of international are regulated through customs and traditions,
3. and also by rules laid down in various international agreements and treaties.
4. It is also common that states having differences seeking the help of another country or an international agency for teaching a compromise.
5. The talks currently in progress between India and Pakistan mirror these features of the existing world order.
6. That a world war has not taken place after 1945 speaks about the positive side of the world order.

Let us recognize that world order cannot be idealistic ignoring the realities completely. Political and another conditions continuously influence the nature of the world order at any time. The world order in turn evolves gradually in response to these developments by making necessary adjustments.

## 2. How did United States and the Soviet Union fight the Cold war?

Ans: During the Second World War, America and Russia developed good relationship between them, together fought against Germany, Japan and Italy and defeated them in the war. The war had produced effects of long term importance. The United States with its economic wealth and the military strength made a matchless contribution to the victory in the war. Having contributed significantly to the victory in the war, Soviet Russia was not to be side lined; the country claimed equal say in deciding on European problems.

**The back ground of Cold war:** Soon after the second world war, the erst while allies, viz, the United States and the Soviet Union developed differences about working together for the peace and stability of Europe. There were political and ideological reasons for these differences. The United States practiced and preached democracy and free market enterprise as the desirable model of governance. On the other hand the Soviet Union believed in and sought to spread the merits of governance by single (communist) party and of state controlled economy.

These differences led to feelings of one being threatened by the other. So began the bipolar phase in the world order immediately after the war. The United States and the Soviet Union stood out as two opposite poles around which, to begin with the European politics revolved.

**The modus operandi of the cold war:** Relations between East and West were never cordial short of going to war directly, the two camps indulged constantly in political and military competition. This state of affairs was widely called as the “Cold war”. The cold war was marked by a great deal of competition in forming military alliances, viz the North Atlantic Treaty organization (NATO) and the Warsaw treaty organization and the arms race through sophistication of nuclear weapons.

The NATO was formed in 1949 with the United States and Canada and 10 countries in Western Europe. NATO members formed themselves as an alliance to treat aggression together. The Soviet Union clearly offered to join the alliance. But NATO turned down the offer, because NATO’s real purpose was to stop the spread of the Soviet influence and ideology. The Soviet Union setup in 1955 its own military grouping with its allies in Eastern Europe to counter NATO.

**The effects of cold war:-** Soon the two cold war rivals grudgingly acknowledged that each could destroy the other in a nuclear conformation many times over. In the face of such dangers, the bipolar relations assumed new dimensions. On the one hand, the two camps got involved in local conflicts in West Asia, South Asia, East Asia, central America and southern Africa. As a result a good deal of military “aid” flowed to newly found or prospective allies. At the same time, attempts to stop the spread of nuclear weapons and deny their access to other countries started in 1960’s.

There were also some positive effects of the bipolar world order. Most of the Afro – Asian countries got independence from European colonial rule. Beginning in 1960 nearly 100 new countries were born. These countries did not want to join in power blocs. Hence, they launched the “Non – aligned movement”.

### **3. Elaborate how the bipolar world gradually gave place to multipolarity:**

Ans: The cold war developed the concept of bipolar world order. By 1970s, significantly the bipolar world started yielding place to multipolarity. Scholars and statesmen perceived presence of not two but many centres of power and influence in world affairs. Apart from the collective bargaining strength of the third world there were many more interesting developments.

#### **Multipolarity and its developments:**

1. The West European countries after enjoying the economic and military protection from the United States recovered as part of regional integration process known as the European Union.
2. These countries have become a major competitor for world markets to the United States.
3. In East Asia too, economic rise of first Japan and China, followed by the Asian Tigers (like South Korea, Singapore etc) loosened the grip of the bipolar world order.
4. Interestingly, concerned over the challenge from these new “poles” bipolar powers briefly tried reconciliation – known as “detente” during 1970’s but they failed to sustain it.
5. The bipolar world order continued till the totally unexpected collapse of socialism in East Europe and the Soviet Union, which spelled formal end to the cold war era in the beginning of 1990’s.
6. The creation of regional groupings like SAARC led to the formation of a multi polar world. Although the U.S. continues to dominate the world politics making the world, a uni polar.
7. The third world countries under the banner of NAM continue to help each other without depending upon the U.S.
8. The Arab countries of the middle east formed local groupings for the preservation of their interests. This group also wields major influence on world economy and politics.

### **4. Describe civil wars and Terrorism as features of the Uni polar world.**

Ans: With disintegration of the Soviet Union and fall of socialism the world turned into Uni polar instead of being bipolar. The word “Uni Polar” suggests the domination of one powerful country in the world politics. At present the USA stands as the Leader of the unipolar world. After disintegration of USSR, Russia was compelled to maintain friendly relations with the US. Although the European countries are facing difficulties financially, and getting involved in controversies with US, none of them are able to stand up as a competitor for the US. Although China has advanced as a major nuclear power and developed economically, it is still unable to play a key role in world politics. The Islamic countries remain disunited due to their international bickering. Hence US continues to dominate in Uni polar World.

Hence the world peace remains threatened and is at mercy of the US. Many developing countries are facing the lot of challenges for their survival in this unipolar world. There has been a lot of disturbance due to the ongoing feuds based on linguistic, religious and racial differences. For example:

1. This disintegration of Yugoslavia, the founding member of the NAM, into five pieces in bitter process and so formed states like Croatia, Bosnia – Herzegovina too soon faced serious threats of further disintegration on narrow ethnic lines. Soon after, Czechoslovakia was split into two. Eritrea got independence from Ethiopia after prolonged struggle. East Timore is the latest in the list of territories that successfully claimed right to self determination in a violent atmosphere.
2. Many countries are undergoing civil war; for example; Afghanistan, Angola, Burundi, Congo, Liberia, Somalia etc.,

During the cold war, the security of state was major issue, the survival of mankind it at stake in the Unipolar world. As a result of civil wars and social unrest, Terrorism Sprouted as a major challenge to the mankind in Unipolar world.

### **Civil wars and Terrorism as features of the Uni polar world:-**

- A. Civil wars:-** The civil wars are being fought in the most brutal and uncivil fashion. Nearly 20 million lives were lost in the violent clashes in the past 15 years. According to estimates 95 out of a hundred deaths in these wars are innocent civilians. Clearing a city or town of ethnic minority groups through mass killings, forcible use of children as soldiers, gang rapes of women are key and inhumane features of the civil wars. Human rights violations by the official troops have now become a central concern for those interested in security and stability as components of the post – cold war.
- B. Terrorism:** Terrorism is the most dangerous aspect threatening security of one or other state, but the world order at large. Al Qaeda under the leadership of Osama bin Laden is one of the most feared terrorist organizations in the world today. We all are familiar with the attacks, organized by bin Laden's followers against the World Trade Centre in New York and other locations in the United States on 11<sup>th</sup> September 2001. This incident demonstrated on the television screens how the mightiest power on earth was so easily shaken. In South Asia, India and Sri Lanka have been fighting terrorists for more than a decade. Now terrorism has spread to other countries like Bangladesh, Nepal, Pakistan, Malaysia, Indonesia, Palestine, Lebanon, Egypt, Kenya, Somalia, Sudan. There is another shocking incident that took place in September 2004, i.e., Chechnya incident.

In short, these aspects of instability point to the need to look at security in a new way. All these problems including terrorism cannot be tackled alone by a state but all countries together.

### **5. Discuss the negative effects of Globalization.**

Ans: The 21<sup>st</sup> century world is in the thick of globalization which is chiefly economic in focus. Globalization has gained prominence with establishment of World Trade Organization. Its origin can be traced to 1995.

It is the World Trade Organization. The whole world has become a single market allowing foreign investments and free flow of goods across national boundaries. In the new climate, multinational corporations gained global respect and access.



**Globalization – its meaning:-** “Globalization is a process of integrating the world into one market to enable workers across borders with no barriers”. According Deepak Nayyar “Globalization implies phenomenal spread of cross borders transactions.”

**Features of Globalization:**

1. Spread of international trade in goods and services.
2. Migration of people between countries and regions.
3. Flow of finance between different countries.
4. Flow of capital between countries for the production of goods and services;
5. International Trade technology, etc.

**Factors responsible for Globalization:**

1. Liberalization
2. Technological revolution
3. New forms of industrial organization
4. Collapse of Soviet Socialist Model
5. Role of United states, etc.,

**Effects of Globalization:** Globalization has both positive and negative effects on the world economy and domestic economics. It brought revolutionary change in the life of individuals of all walks of life. At the sometime it increased the miseries of the poor in the developing countries.

**I. Positive Effects:** The bulk of world community (the developing countries) has become part of globalization with great hope. Look at India’s experience is:

1. With strength like well developed and highly competitive computer software industry, the availability of technical and skilled work force and its potential as a large middle class market.
2. India has hopes to benefit in the era of globalization.
3. Customers are flooded with an amazing choice of goods in the market - from motor cars to food products.
4. India’s exports have gone up especially in service sector, investments have come into the country, and our foreign exchange reserves are extremely comfortable.

**II. Negative effects:-** Though India is open to beneficial aspects globalization, it is concerned over the adverse effects.

1. American companies, currency, TV channels and weapons have taken over the world.
2. Many local companies are being shutdown causing unemployment to millions even in the advanced countries.

3. With drawl of governmental support through subsidies in fertilizers, electricity and other essential needs has added to the misery of rural and farming sections.
4. The income gap between the rich and the poor both among and within countries have sharply widened.
5. Nearly one half of the world population are in terrible poverty.
6. While official aid from the rich donor countries has not grown, the debt burden of the developing countries has increased to worrying levels.
7. The assents of top 3 billionaires in the world are said to be greater than the combined national wealth of all the least developed countries.
8. Goods of the least developed countries are denied preferential access to markets in the advanced countries.
9. Our life styles are undergoing significant shift embracing meaningless consumerism.
10. Nations live with the fear about the spread of the diseases like AIDS.

The initiatives taken so far to address the above problems have proved insufficient. There is need to provide human face to make globalization just and even – handed in its effects. Otherwise the credibility contemporary world order may come under question.

## **II. Very Short Questions and Answers**

**2 Marks**

### **1. Write about meaning of world order?**

Ans: In the world affairs “ order brings a certain method in the way one country conducts its affairs with other states”. The method can be noticed in the form of a set of rules and principles, which are commonly accepted and respected by governments. These rules and principles include; 1) Equality of all countries, 2) that one country should not interfere in the internal affairs of another state, 3) that prisoners of wars and refuges should be treated humanely, etc.,

### **2. Write about bipolar world order.**

Ans: After end of Second World War the cold war developed the concept of bipolar world order. Second World War had produced effects of long term importance. The world turned into bipolar world. The United states with its economic country. Having contributed significantly to the victory in the war, soviet Russia was not to be side lined, the country claimed equal say in deciding on European problems. During cold war there were political and ideological differences between these two countries. All these led to develop the bipolar world order between America and Soviet Union.

### **3. Write about unipolar world order**

Ans: With disintegration of the Soviet Union and fall of socialism, the world turned into unipolar order instead of being bipolar. The word “Unipolar” suggests the domination of one powerful country in the world politics. At present the USA stands as the leader of the unipolar world. It became the

single remaining super power. To illustrate the domination of the United States, it may suffice to cite just one area, arms exports. US share is approximately 2/3<sup>rd</sup>s of the total value of arms exports.

#### **4. What is meant by globalization?**

Ans: Globalization gained prominence with establishment of world trade organization. Its origin can be traced back to 1995. Globalization means, “The whole world has become a single market allowing foreign investments and free flow of goods across national boundaries”. In the new climate, multinational corporations gained global respect and across.

#### **5. Define Globalization?**

Ans: The terms Globalization is defined by different persons in different ways.

1. “Globalization means integrating the domestic economy with the world economy in regard to goods, services, technologies, finance and labour” .... T.R. Jain.
2. “Globalization implies phenomenal spread of cross border transactions” .... Deepak Nayyar.

#### **6. Write any five features of Globalization?**

- Ans:
1. Spread of international trade in goods and services.
  2. Migration of people between countries and regions.
  3. Flow of capital between countries for the production of goods and services.
  4. Flow of finance between different countries.
  5. International trade technology.

#### **7. Write any four negative effects of globalization**

- Ans:
1. Many local companies are being shut down causing unemployment.
  2. Income gap between the rich and the poor both among and within countries have sharply widened.
  3. Nearly one half of the world population in terrible poverty.
  4. National live with the fear about the spread of diseases like AIDS.

### **IV. One Word Questions and Answers (In Text Questions)**

#### **a) Intext questions 29-1**

1. Who are the main players in the world affairs? **States commonly known as countries.**
2. Are states equal in their size and strength? **No.**

**b) Intext questions 29-2**

1. Name the victory countries in the Second World War.  
**United States, The Soviet Union and Great Britain.**
2. Is it true that the importance of Europe declined after the Second World War? **Yes.**
3. Which two countries were known as the Super powers?  
**The US and former Soviet Union**
4. Identify two military alliances formed during the cold war era  
**NATO and the Warsaw Treaty Organization**
5. Did the super powers attempt reconciliation? What was that process called?  
**Yes, it was known as détente**

**c) Intext questions 29-3**

1. Which country suffered defeat in the cold war? **The Soviet Union**
2. Name the leader of the Soviet Union when the cold war was declared over. **Mikhail Gorbachev**
3. Which country emerged as the most powerful country after the end of the cold war? **The United States.**
4. Did the emergence of the Unipolar world help functioning of the United Nations? **No**

**d) Intext questions 29-4**

1. Did the Unipolar era spell stability in the world order. **Yes**
2. Name some of the countries that were divided territorially, **Yugoslavia, Czechoslovakia etc.,**
3. Give examples of countries under the spell of civil wars.  
**Afghanistan, Somalia, Sierra Leone, Yugoslavia etc.,**
4. Innocent population remained unaffected by wars and violence (True / **false**)

**e) Intext questions 29-5**

True or false

1. Globalization is confined to economic areas alone (True/**false**)
2. Private companies in the west benefited most from globalization (**True**/ false)
3. Globalization is aided by revolution in information and communication technology (**True** / False)
4. Income gaps between and within countries increased (**Yes** / False)



# The United Nations

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## Introduction

The United Nations (UN) is an important international institution of our times. It was set up in 1945 with 51 countries as member nations and its current membership is 192. Most of the countries in the world today are members of the United Nations. The activities of the United Nations reflect the needs and hopes of not just the governments but the people of the world at large. The United Nations is, therefore, a world organization and its activities are wide ranging. Without exaggerating, there is not a single aspect of our life that is not touched by the ever – increasing scope of the United Nations activities.

## Objectives

After studying this lesson, you will be able to

- Trace the origins of the United Nations (UN);
- Identify its objectives and basic principles;
- Describe the composition and functions of the principal organs of the UN;
- Recall its contributions in the fight against evil practices like apartheid, colonialism and promotion of human rights;
- Emphasize the need for restructuring of the security council to make it more representative;
- Explain that the United Nations is the only hope for a peaceful and better world;

## I. Essay Questions and Answers

**8 Marks**

### 1. Discuss the purpose and principles of the UN Charter?

Ans: The first half of the 20<sup>th</sup> century witnessed two world wars that caused death of 80 million people. Even before the complete defeat of the enemy countries in the II world war, the allied

powers led by the USA, former Soviet Union and the UK started planning an international organization in place of league of nations. The US president Roosevelt and British Prime Minister Winston Churchill signed the Atlantic Charter in August 1941. Indicating their desire for a post-war peace institution. Then a series of conferences followed at Moscow, Teheran, Dumbarton Oaks and Yalta to discuss various ideas and proposals. Finally, the San Francisco conference in early 1945, finalized and signed the charter of the new organization the United Nations. The United Nations was established on 24<sup>th</sup> October 1945.

**UN Purposes and objectives:** The charter indicates five objectives of the United Nations. They are;

1. To save the succeeding generations from the scourge of war.
2. To maintain international peace and security through collective measures for suppression of aggression and through peaceful settlement of disputes.
3. To develop friendly relations among countries based on full respect for the principle of equality and self-determination.
4. To achieve international co-operation in the economic, social cultural or humanitarian fields and
5. To encourage respect for human rights and fundamental freedoms.

**Basic Principles of UNO:** In pursuance of the above objectives the member states are required to adhere to a set of important guiding principles. They are

1. Equality among countries whether big or small, strong or weak.
2. The member states are expected to resolve their disputes with other states in peaceful manner without endangering international peace and security.
3. The member states should refrain from threat or use of force against another member.
4. It is the duty of the member state to assist the UN in the enforcement of peace.
5. All members shall fulfill their obligations in good faith as denoted in the charter.
6. The United Nations will ensure the non-United Nations members act in accordance with the charter.

## **2. Compare and contrast the composition and functions of the general assembly and the Security Council?**

**Ans: I. The General Assembly:** Among the principal organs the general assembly is the central body. All members of the United Nations (Presently 193) are members of the general assembly. Irrespective of size or strength every member has one vote in the assembly. The assembly meets in regular session every year. On important matters, it adopts resolutions with the support of two-thirds majority. The assembly also meets when need arises, in special sessions and emergency special sessions.

**Functions:**

1. It discusses matters which include peace and security questions.
2. The assembly had adopted a number of important declarations in political, economic, social and other matters ex: The Universal declaration of human rights (1948), the declaration on decolonization (1960) declaration on New International Economic order (1974) etc.,
3. The assembly has the power of approve the budget of the United Nations.
4. It supervises the work of the social and economic council the security council, the Trusteeship council and other bodies.
5. It elects 10 non permanent members of the security council, 54 members of economic and social council and in the members of trusteeship council.
6. It takes steps to admit the states or to suspend or expel the existing members states.
7. It appoints the secretary general and the judges of international court of justice.

**II. Security council :** The security council is the most powerful decision making body of the united nations. The membership of the council is limited to 15 countries only, out of which five are permanent members. These five countries are china, France, Russia, the UK and the USA. The remaining ten members – called nonpermanent members are elected by the general assembly for a term of two years. The members elect one of them as the president, for the term of one year.

**Functions of security council:**

1. Maintenance of international peace and security is its main function.
2. In case, a dispute arises between two or more countries the council can make appropriate recommendations in the interest of peaceful settlement of the dispute.
3. It can decide or execute such actions required for the peaceful settlement of international disputes such as economic sanctions like freezing of assets abroad, banning of exports and imports or military action by land, sea and air.
4. It has the obligation of submitting annual and special reports to the general assembly.
5. It makes recommendations to the general assembly for the admission of new members.
6. It elects the judges of international court of justice along with general assembly.
7. It makes recommendations to the general assembly in the appointment of secretary general.
8. The five permanent members of the UN have power or privilege to cast a negative vote on substantive questions or matters. This privilege is known as Veto Power. The concurrence of 2/3 majority is essential on procedural matters. This include concurring vote of the permanent members. In other words the council cannot take decisions on major significance if any one of the five permanent members casts a negative vote.



## **2. Discuss the importance of UN Role in the decolonization effort.**

Ans: Most of Africa and Asia (India and South Asian Countries) were free from the colonial rule before the United Nations was setup. For UN ending colonial rule became essential for achieving world peace and progress. Freeing millions of people from foreign colonial rule is a historical achievement of the UN. The UN interest in the liberation for subject people extended beyond trust territories. Its built up this campaign against colonialism was the adoption of declaration of decolonization by the general assembly in 1960, demanding immediate independence of all colonial territories and populations. Trust territories were placed under the responsibility of UN by 1994 all trust territories – Cameroon, Nauru, New Guinea, the Pacific Island. Rwanda, Somaliland, Tanganyika, Togoland etc., became free with the help provided by the UN. Namibia, Eritrea, East Timor are among the recent example of successful fight against colonialism. The UN opposition to racism in South Africa known as apartheid is also remarkable. This struggle went on from 1946 to 1993. The widely respected black leader Nelson Mandela was released after 27 years of imprisonment. The apartheid laws were revoked. Soon afterwards the UN revoked all previous punishments and restored to the new South Africa. Since that time 60 territories have become free under the sustained pressure built in the UN.

## **II. Short Questions and Answers**

**4 Marks**

### **1. Explain the need for restructuring in the security council**

Ans: The security council is the most powerful decision making body of the United Nations. Unlike the general assembly the permanent membership of the security council is limited to 15 countries only. Out of that 5 are permanent. The remaining ten members are non permanent members. This arrangement is six decades old. When most of Africa and Asian countries were not part of the United Nations. Now with membership of the world body rising by four times, the council's composition needs to be suitably changed. There is a strong case to add a few countries like India as permanent members. India's contribution is several peace keeping forces and its active role in peace making processes facilitates its obvious claim to be permanent member of the council. India has been a founder member of the United Nations. Besides India is the second largest populous country and is the largest democracy in the world.

### **2. UN Secretary General:**

Ans: Secretariat is the principal administrative body of the United Nations. It consists of International civil servants headed by secretary general. The secretary general is appointed by the general assembly on the recommendations of the security council, for a term of 5 years.

**Functions of Secretary General:** The Secretary General is the chief executive head of the UN Secretariat. His functions may be explained as follows:

1. He appoints the secretariat staff, and supervises them.

2. He brings all those matters concerning international peace and security to the notice of general assembly and security council.
3. He summons the special sessions of general assembly on the request of security council or the majority members of the united nations.
4. He prepares the annual budget of the united nations and present it to the consideration and approval of the general assembly.
5. He performs all those functions assigned to him by the general assembly and other principal UN organs.
6. He prepares the annual report of the working of united nations and submits the same for the approval of general assembly.
7. He acts as the registering authority of all treaties and international agreements.

The performance of the UN depends upon the ability, efficiency and impartiality of secretary general. Many issues were settled by the negotiations of general secretary. Since the inception of the organization, eight persons have served as the secretary general they are; Trygve Lie, Dag Hammarskjold, Uthant, Kurt Waldheim, Javier Perez Decuellar, Boutros – Boutros – Ghali. Presently Bankimoon is occupying this prestigious office.

### **3. Universal declaration of Human Rights:**

Ans: Promotion of human rights, culture through worldwide human rights standards has been another major contribution of the united nations. The United Nations had adopted universal declaration of human rights on December 10<sup>th</sup> 1948. The declaration contains a broad range of civil, political, economic, social and cultural rights that all people are entitled to without any discrimination. The declaration is not binding on governments. But it gave inspiration to the drafting of two legally binding covenants; one on economic, social and cultural rights and the other on civil and political rights. Both these covenants became applicable to the signatory states from 1976 onwards. These two covenants, together with the Universal declaration, are known as “ the International bill of rights”. The covenant on economic, social and cultural rights highlights the right to work in just condition, the right to adequate standard of living and the right to social protection. The covenant on civil and political rights emphasizes freedom of movement, equality before the law, freedom of religion, freedom of participation in elections and protection of minority rights.

The UN has adopted other declarations with the aims of stopping the practice of torture and racial discrimination.

### **4. Write about Trusteeship council**

Ans: The trusteeship council was created to supervise the working of the trust territories. It supervises the affairs of the non – self governing territories designated as truest territories. The permanent members of the Security Council, 14 members elected by the general assembly were the members of this council. It works under the supervision of general assembly. It is due to the relentless effort

of this council 10 out of 11 trust territories gained their independence by 1975. As the lone trust territory Palau attained independence, the business of trusteeship council was completed. So this organ was dissolved by a resolution of general assembly on November 1994.

#### **5. Write about Economic and social council**

Ans: The economic and social council works to promote international co-operation in economic and social fields. It comprises 54 members all of whom are elected for a term of three years by the General assembly. However one third of them shall retire every year. Decisions are taken by a simple majority of then members present and voting. The council has setup commission to study and advise on the status of women, population, human rights. Etc.,

#### **Functions:**

1. It considers international economic, social, cultural and humanitarian problem.
2. It has the power to co-ordinate the activities of various specialized agencies like international labour organization. The world health organization etc.,
3. It brings non – governmental organizations to take part in its deliberations.
4. It may call international conferences on matters falling within its competence and prepare drafts for agreements etc.,

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. Write a short note on UN Charter?**

Ans: The charter is the constitution of the UNO. It contains 111 articles. It embodies the purposes and principles of the UNO. It also lists the principle organs along with their composition and powers. The charter begins with words “We, the people of the United Nations”. It emphasizes the unity and solidarity of the mankind.

#### **2. Write any four objectives of the UNO**

Ans: 1. To save the succeeding generations from the scourge of war.  
2. To maintain international peace and security through collective measures.  
3. To develop friendly relations among countries based on full respect for the principle of equality and self – determination.  
4. To achieve international co-operation in the economic, social, cultural and humanitarian fields.

#### **3. Write any four principles of UNO**

Ans: 1. Equality among countries whether big or small, strong or weak.  
2. The member states are expected to resolve their disputes with other states in peaceful manner without endangering international peace and security.

3. The member states should refrain from threat or use of force against another member.
4. All members shall fulfill their obligations in good faith as denoted in the charter.

#### **4. Name the principle organs of UNO**

Ans: There six organs in the united nations. They are;

1. General assembly
2. Security council
3. Economic and social council
4. Trusteeship council
5. International court of justice and
6. Secretariat

#### **5. Write a note on veto power**

Ans: The five permanent members of the UN have power or privilege to cast a negative vote on substantive questions or matters. This privilege is known as Veto power. According to which, any decision to impose sanctions, must be taken with the concurrence of the five permanent members. If any member does not agree with any decision of the security council, it cannot be implemented.

#### **6. Write about declaration of Human Rights**

Ans: The Universal declaration of Human rights was the first among the UN declarations. The day of its adoption on 10<sup>th</sup> December 1948 is observed every year as the Human rights day. The declaration contains a broad range of civil, political, economic, social and cultural rights that shall people are entitled to, without any discrimination.

#### **7. Write about secretary general of UNO**

Ans: The secretary general is the chief executive head of the UN secretariat. He is appointed by the general assembly on the recommendations of the security council for a term of 5 years. Following are the functions of secretary general

1. He appoints the secretariat staff, and supervises them
2. He prepares the annual budget and annual report on the working of the UNO
3. He summons the specific sessions of the general assembly on the request security council etc.,

#### **8. Name any five names of UN special agencies**

- Ans:
1. **UNESCO** - united nations educational scientific and cultural organization.
  2. **ILO** - International labour organization
  3. **FAO** - Food and Agricultural organization

4. **WHO** - World Health Organization  
5. **UNCTAD** - United Nations conference on Trade and development

**9. Write about economic and social council**

Ans: The economic and social council is an important organ of the UNO. It consists of 54 members. They are elected by the general assembly. Their term is three years and 1/3<sup>rd</sup> of them retire after every year. The retired members not eligible for immediate reelection. It endeavors to achieve economic and social progress. Its functions are; 1) It has been striving to achieve international co-operation in promoting an encouraging respect for human rights for all, etc.

**10. Write about trusteeship council**

Ans: The trusteeship system under the UN is a direct heritage of the Mandates of League. It was established for supervising and administering trust territories. All the 11 territories, originally placed under the trusteeship system have become free. Now that there is no trust territory to be administered, the trusteeship council has ceased to play an active role in the UN system and does not hold meetings.

**11. The international court of Justice**

Ans: This is the principle judicial organ of the UN. Its headquarters is situated at the city in Hague of Netherlands. It consists of 15 Judges. They are elected by the security council and general assembly for a term of nine years. However 1/3<sup>rd</sup> of them retire after every 3 years. Its functions are;

1. Decides all cases relating to treaties between member states.
2. Interprets international law, etc.,

**IV. One Word Questions and Answers (In Text Questions)**

**A) Intext questions 30-1**

**Fill in the Blanks**

1. The United Nations charter was signed in 1945 at the city of \_\_\_\_\_ (Geneva, Newyark, **San Francisco**)
2. \_\_\_\_\_ countries were the original members of the United nations (45, **51**, 191)
3. The main purpose of the United Nations charter is \_\_\_\_\_ (**Maintenance of international peace and security**)

**Mark the following sentences as True or False**

4. Sovereign equality among the member states is a cordial principle of the United Nations (**True** / False)

5. The United Nations cannot normally take up domestic problems of its member countries (**True** / False)
6. The United Nations membership has not increased since its existence (True / **False**)

### **B) Intext questions 30-2**

#### **Fill in the Blanks**

1. The Permanent members of \_\_\_\_\_ enjoy veto power ( all organs of the UN / **Security council**)
2. How many territories did the trusteeship council used to administer (5, **11**, 15)
3. Which organ of the United Nations performs the function of coordinating the activities of the specialized agencies? (General assembly, Security council, **economic and social council**)
4. Private individuals can bring disputes before the world court (True / **False**)
5. \_\_\_\_\_ is at present the UN secretary General (KofiAnnan, **Bankimoon**)
6. The judges of the world court are elected by \_\_\_\_\_ (General assembly, security council, **both security council and general assembly**)

### **C) Intext questions 30-3**

#### **Answer the following questions**

1. The declaration on decolonization was adopted in \_\_\_\_\_ (1945, **1960**, 1995)
2. The UN was responsible for the administration of the trust territories (**True** / false)
3. The Native leader of the resistance movement against apartheid in South Africa was \_\_\_\_\_ (Mahatma Gandhiji, **Nelson Mandela**)
4. The Universal declaration of Human rights is binding on all member countries of the Un (True / **False**)
5. Which day every year is observed as the H.R. day? (26<sup>th</sup> January, **10<sup>th</sup> December**, 15<sup>th</sup> August)
6. The two covenants on human rights came into force in \_\_\_\_\_ (1948, **1976**, 1997)
7. Which important office was established on the recommendation of the 1993 UN conference on Human rights (Ombudsman, **High commissioner for all Human rights**)

## United Nations' Peace Activities

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### Introduction

Peace is one of the most cherished goals of the nations of the world. Without peace, it is very difficult to achieve other goals like economic and social progress. Peace became all the more essential as the wars became very destructive and bloody due to development of dangerous weapons in the twentieth century. Moreover, a number of countries and their people are experiencing the negative effects of wars. Hence, leaders of the world joined hands to prevent war and to manage the peaceful relations among the nations. That is the reason why the United Nations was created at the end of second world war. The United Nations was created to work for peace in all parts of the world. In fact, peace is its top most aim. United Nations is today the most important organization dedicated to world peace. Many organs of the United Nations work for peace. The efforts of security council, the general assembly and the secretary general are notable. There have been more than 300 wars after the Second World War. But to the credit of the United Nations, third world war has not occurred.

### Objectives

After studying this lesson, you will be able to

- Identify different ways in which United Nations strives for international peace and security;
- Recall the efforts of the United Nations to mediate between countries so that their problems are peacefully settled;
- Identify the impact of Cold war in the functioning of the United Nations in regard to peace and security;
- Recognize importance of peacekeeping activities of the United Nations;
- Explain the significance of disarmament efforts of the United Nations;



## **I. Essay Questions and Answers**

**8 Marks**

### **1. Discuss some of the aspects in regard to UN disarmament efforts?**

Ans: The Bible suggests those who live by the sword tend to die by the sword. That is why this great work prescribes that nations should beat their swords in to plow -shares.

It was thought that the production and stockpiling of weapons of mass destruction would ensure peace by deterring the opponent. Far from securing peace these weapons have made the world a dangerous place to live in. Nuclear and other dangerous weapons threaten the very survival of mankind. Thus, the preservation of life on the planet is the first and foremost consideration for disarmament. Disarmament is also equally important to divert the funds to improving the living conditions of the poor and needy people of the world.

**Disarmament – its meaning:-** Disarmament literally means that reduction or elimination of armaments. According to Morgenthau”. Disarmament is the reduction or elimination of certain or all armaments for the purpose of ending the armament race”.

#### **Some aspects in regard to UN disarmament efforts:**

The UN charter deals with the provisions relating to disarmament. Right from the inception, the United Nations has taken active interest in disarmament. Several disarmament treaties resulted from UN efforts.

#### **1. The nuclear Non – proliferation Treaty – 1968**

It is a treaty on the non – proliferation (NPT) of nuclear weapons. This treaty required non – nuclear states not to acquire nuclear weapons, while leaving the nuclear weapon powers free to increase their stocks. Many countries like India refused to sign the treaty to protest against the discrimination.

#### **2. General Assembly’s special sessions:**

The general assembly convened three special sessions to focus world attention on the need for disarmament. Those sessions, mobilized world opinion to press reduction of nuclear and conventional weapons. But no concrete results were evident, because of cold war tensions.

#### **3. Ending of the cold war raised some hopes**

The ending of the cold war raised hopes of serious moves to control and reduce nuclear and other weapons of mass destructions (WMDs)

#### **4. Comprehensive Test Ban Treaty (CTBT)**

The general assembly adopted a text of resolution of the comprehensive test ban treaty in September 1996. The chances of CTBT coming into force are considered remote because many countries, including India, described it a defective treaty and refused to sign it until the five nuclear powers had disarmed.

### **5. On the Positive side un efforts:**

On the positive side, UN efforts in disarmament led to banning of landmines (1997) and prohibition and destruction of existing stocks of chemical weapons under international supervision (1993).

### **6. Reduction of Land mines and elimination of chemical weapons**

UN also made progress in actually removing several lakhs of land mines in Asia and Africa, supervising elimination of existing stocks of chemical weapons.

### **7. Destruction of Chemical and biological weapons of Iraq**

UN also played its part in destruction of chemical and biological weapons of Iraq in 1990's

## **II. Short Questions and Answers**

**4 Marks**

### **1. What are the four main aspects of the United Nations activities which have made our world peaceful?**

Ans: "Peace is one of the most cherished goals of the Nations of the world". The United Nations role towards world peace had many sides to it. Its organs work to prevent wars from happening. This is done by advising or encouraging countries to maintain friendly relations without interfering in each other's affairs and to settle differences without using force. For this purpose United Nations has passed several declarations and resolutions. When countries involved in wars UN came forward to stop the wars as quickly as possible. For example, when India and Pakistan fought a war over Jammu and Kashmir in 1947. UN successfully persuaded both countries to stop that war.

#### **Four Main aspects of UN activities:**

UN activities recognized need to strengthen conditions of peace through elimination of dangerous weapons. There are four main aspects of the UN activities which have made our world somewhat peaceful. They are;

1. Mediation activities to help countries to reach an agreement, without using armed forces.
2. Peace keeping activities to keep warring nations apart and restore peace without firing a shot;
3. Permitting some member countries to forcibly intervene in a troubled area and restore peace in an area.
4. Disarmament activities aimed at reducing tools of war, like landmines, chemical weapons etc.,

### **2. Discuss few of the examples of the United Nations mediations**

Ans: The United Nations has played the role of mediator in dozens of conflicts, sometimes successfully and at other times not so, successfully.

Mediation means “it is an activity undertaken by a country or an organization or individual to help resolve a problem”.

**UN Mediations on the following issues:**

1. The UN security council sent mediators in 1950's to solve the Kashmir problem amicably but the efforts were not fruitful.
2. The Cuban missile crisis of 1962 is a good example where the secretary general U Thant's mediation helped to avoid direct military confrontation between the United States and the former Soviet Union.
3. In 1987, United Nations successfully mediated to get an accord signed for the withdrawal of Soviet troops from Afghanistan.
4. Similar mediation was undertaken successfully on Cambodia problem in 1991.
5. There are nearly two dozen UN mediators presently helping resolution of problems in Somalia, Cyprus, Western Sahara etc.,

UN also helped in factfinding investigations into border violations; Arab – Israeli, Israel – Palestine, etc.,

**3. What are the different types of Non – military sanctions which are imposed by the United Nations?**

Ans: The United Nations has always preferred to try first Non – binding persuasive methods to keep peace among nations. The security council has power to impose “sanctions” against a threatening country, so that peace is restored without the need for military action.

**Security Council's non – military sanctions**

Security council's non – military sanctions could mean 1) cutting off of diplomatic relations between the targeted country and the rest of the world 2) curbing sale of arms and ammunition, 3) banning imports and exports of any and all items like oil, medicines, etc., 4) freezing of bank deposits in foreign countries. The aim of these steps is stopping the target country's objectionable activity.

So far, UN has imposed the binding non – military sanctions some 25 times.

1. One of the first cases of such sanctions occurred against South Africa. A compulsory ban on supply of weapons was imposed in 1977 to compel South Africa to end its policy of racial discrimination.
2. The other instance, UN imposed wide ranging sanctions against Iraq, which attacked and occupied Kuwait in 1990. Sale and purchase of oil was prohibited, food and other essential needs were denied, bank accounts were sealed.

3. Similarly United Nations launched sanctions against many terrorist organizations to deny them any funding. This step was taken after, world trade organization was attacked in September 11, 2001; still terrorists continue to get funds.

**4. Why does the United Nations not have its own military force to carry out its military action?**

Ans: The goal of the world peace is so important for the United Nations that the founders did not hesitate to empower this organization to use military force to stop and reverse foreign invasion against any member country. For this purpose, United Nations was to be equipped with a standing army consisting of troops, contributed by member states. But this army designed to flight aggressor countries under the control of the United Nations and its secretary – General – could not become a reality. The United states and Soviet Union had serious disagreements on the matter. And also the differences between two big countries like USA and soviet Union, cold war and Veto power, all these contributed to UN, not to have own military force. Hence, even after more than six decades of its existence, the United nations does not have its own military force to take military action against an aggressor country. Because of this limilation United Nations could not take military action against invading countries independently. But with the help of member nations, UN use to take military actions against aggressor. And sometimes with the permission of UN, USA, Britain France and other countries take military action against aggressor.

**Authorization of Military action:** Though less an satisfactory, this was a practical option exercised on occasions such as 1) Korea Issue; Iraq and Kuwait issue, Somalia, Bosnia, Haiti and Liberia issues. 2) Besides, Australia and France also got UN permission to send forces to restore order in EastTimore and Rwanda respectively. Therefore, United Nations is more cautions to allow military action under its name.

**5. What is peace keeping? What for these operations have been sent?**

Ans: Compared to the military authorization, peace keeping is a remarkable contribution of the United Nations towards world peace. This activity was not anticipated when the United Nations was founded. However, UN tried with technique right its early years.

**Peace keeping operation – its meaning:**

UN peace keeping operations consist of impartial military and civilian personnel from difference countries working under the UN command. Their main Job is to non violently stop the warning countries from fighting and help them observe the cease – fire agreement reached between them.

**Peace keeping activities:** 1. The first UN peace keeping activity started in 1948 when dispatched a small team of observes to ensure peace after the first Arab – Israeli war 2) since then, in all there have been 60 peace keeping operations dispatched by United Nations to restore peace in countries located in four continents - Africa, Asia, Europe and South America 3) Two such operations restored peace between India and Pakistan.

### **Peace keeping – some notable turnings points:**

For example

1. In 1956 a 6000 force called United Nations emergency force could arrange, with drawal of foreign troops from Egypt.
2. In 1960, a much larger peace keeping force ensured that a newles independent country remained secure from intervention and internal disintegration Cinongo.
3. In 1993, an equally big operation took over administration of Cambodia.

After end of the cold war in 1990, number of peace keeping activities launched. Some of them were failed, like former Yugoslavia, Somalia, and Rwanda. The over all worth of the UN peace keeping was demonstrated when in 1988 this activity received Nobel peace prize.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. Write about the meaning of disarmament?**

Ans: Disarmament has lot of significance in international politics. It literally means that reduction or elimination of armaments. According to Morgenthau “Disarmament is the reduction or elimination of certain or all armaments for the purpose of ending the armament race”.

#### **2. Write about N.P.T. or Nuclear non – proliferation treaty?**

Ans: It is a treaty on the Non – proliferation (NPT) of nuclear weapons. This treaty required non – nuclear states not to acquire nuclear weapons, while leaving the nuclear weapon powers free to increase their stocks. The general assembly adopted the non – proliferation with over whelming majority. The treaty was opened for signature in July 1968, and it came into force on March 5<sup>th</sup> 1970. Many countries, like India refused to sign the treaty to protest against the discrimination

#### **3. Write about CTBT or comprehensive test Ban Treaty?**

Ans: The general assembly adopted a text of resolution of comprehensive test Ban Treaty in September 1996. According to this treaty developing countries should neither under go for nuclear tests nor produce nuclear weapons.

The chances of CTBT coming into force are considered remote because many countries including India, described it a defective treaty and refused to sign it until the five nuclear powers had disarmed.

#### **4. Name the four main aspects of the United Nations activities which have made our world peaceful.**

Ans: There are four main aspects of the United Nations activities which have made our world somewhat peaceful. They are;

1. Mediation activities
2. Peace keeping activities
3. Permitting some member countries to intervene in troubled area and
4. Disarmament activities, which aim at reducing tools of war

## IV. One Word Questions and Answers (In Text Questions)

### A. Intext questions 31-1

#### True or False

1. The United Nations is today the most important organization dedicated to world peace (**True** / False)
2. United Nations declarations and resolutions, urging the member countries to solve the dispute by peaceful means have binding effect. (True / **False**)
3. The UN mediator can expect to have little success unless he enjoys the confidence of all parties (**True** / false)
4. In 2003 the international court of justice ruled against Israel's construction of wall in occupied Palestinian territories as illegal and provocative (**True** / False)
5. The non – military sanctions imposed by the security council are not compulsorily implemented by all member countries of the United Nations (True / **False**)

### B. Intext questions 31-2

#### Fill in the blanks

1. For maintenance of peace and security, United Nations was to be equipped with a \_\_\_\_\_ contributed by member countries. (**Standing Army**).
2. The United Nations authorized the \_\_\_\_\_ to act military against North Korea. (**United States**)
3. The United Nations \_\_\_\_\_ to grant US request for permission of wage another war against Iraq in 2003. (**Iraq**)
4. There have been around \_\_\_\_\_ peace keeping operations dispatched by United Nations to restore or maintain in various countries in the world (**60**)
5. In 1993, a big operation took over administration of \_\_\_\_\_ (**Cambodia**)

### C. Intext questions 31-3

#### Fill in the blanks

1. The \_\_\_\_\_ arms have made the earth a dangerous place to live in (**Nuclear**)
2. The preservation of life on the planet is the first and foremost reason behind the need for \_\_\_\_\_ arms race means diversion of \_\_\_\_\_ which could be used for economic development (**Resources**)
3. Discriminated between nuclear and non – nuclear weapon countries non – proliferation treaty.
4. General assembly held \_\_\_\_\_ special setting on disarmament (**Three**)
5. UN general assembly approved the comprehensive Test Ban Treaty (CTBT) in \_\_\_\_\_ (**1996**)

# United Nations and Economic and Social Development

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## Introduction

The UN and its affiliated agencies play an important role in the promotion of International co-operative in the economic and social fields. The United Nations considered that stable peace cannot be achieved without economic and social development of all nations. Hence, much of the UN's resources are devoted to economic and social activities. Since 1960 economic and social development of the newly independent, poor countries has been the main preoccupation of the United Nations. Activities in these fields are varied, aimed at tackling problems like poverty, housing, food and disease which have both economic and social characteristics and effects.

## Objectives

After studying this lesson, you will be able to

- Recall major initiatives of the United Nations for socio – economic development of developing countries;
- Identify the network of UN agencies and bodies for development;
- Recall the activities of various socio – economic development agencies;
- Appreciate that despite obstacles, UN role goes a long way to help in the developmental needs of the backward countries.

## I. Essay Questions and Answers

**8 Marks**

1. **What are the major initiatives of the United Nations for promotion of Economic and social development.**

Ans: The United Nations organisation came into existence to maintain world peace and security by avoiding wars. The United Nations considered that stable peace cannot be achieved without



economic and social development of all nations. To achieve this goal economic and social council was established. Countries are generally classified developed and developing, basing on the size and strength of their economics. The developed countries and located in the north of the equator or in the whole of Europe and North America. These countries have high per capital income. Industrial growth, educational and health sciences etc., They dominate the world economic where as developing countries located in Africa, Asia and South America; suffer from deprivation such as wide spread poverty, illiteracy hunger and diseases. These countries were named as Third World countries.

**Major UN initiatives for Socio – Economic development.** Various actions have been taken by the united nations to achieve economic and social development of these backward and developing countries. They are

1. The united nations launched the first development decade in 1960s international institutions like the UN development programme, (UNDP) UN industrial development organization, (UNIDO), international development Association were set up.
2. At the initiative of developing countries, united nations conference on trade and development (UNCTAD) was formed in 1964 to promote international for the benefit of developing countries. It has served the developing countries in many ways.
3. UNCTAD has provided significant support to efforts by developing countries to expand trade and economic co-operation among themselves at the regional and sub regional levels. It has also promoted technical assistance.
4. In UNCTAD has provided significant support to efforts by developing countries to expand trade and economic cooperation among themselves at the regional and sub regional levels. It has also promoted technical assistance.
5. In UNCTAD a group of developing countries was formed. It has represented unity and solidarity among developing countries in the negotiations on economic and trade problems with the developed countries.
6. To protect the economic interests of the developing countries the UN gave a call in 1974 for establishment of a New International economic order, welded to the ideals of equity and justice for all nations, rich and poor.
7. By the end of 1970s many developing countries and were facing serious balance of payments problems and were forced to turn to the international monetary fund (IMF) and the world bank for loan.
8. The UN Secretaries – general also played their part in pushing the cause of economic and social development of the third world. For example, in 1994, secretary general Boutros Ghali presented a grand vision in “An Agenda for development”.

9. At a UN summit in 2000 the millennium development goals. These goals include the elimination extreme poverty, achieving universal primary education, improving maternal health and reducing child mortality.

Economic and social council is trying to achieves. Such a goals through specialized agencies like; UNESCO, WHO, UNICEF, ILO etc.,

**2. Describe the structure of the united nations for the economic and social development activities.**

Ans: The united nations structure for planning, coordinating, administering and implementing its economic and social programmes is vast and decentralized.

**Network of UN development agencies**

- 1. General assembly and ECOSOC:-** The general assembly provides general direction and supervision for economic and social activities. Economic and social council (ECOSOC) concentrates solely on this work and has operated with the assistance of functional commissions. They are; statistical commission, human rights commission etc.,
- 2. Regional economic commissions:-** There are also regional economic commissions constitution; which focus on the problems salient to their geographical areas. Five such commissions have been established; the ECE, ESCAP, ECA and the economic commission for west Asia.
- 3. Other Bodies:-** A number of other bodies exist in the economic and social filed which are not as directly subject to ECOSOC direction or control but which are closely related t o ECOSOC activities. These include; 1) UNDP, 2) UNICEF 3) UNCR 4) UNCTAD 5) UNIDO, 6) world food programme 7) UNEP
- 4. Specialized Agencies:-** There are specialized agencies of the UN. These are part of UN system. They function independently of the UN organs. Each has its own headquarters, constitution, staff and budget.
- 5. Each has inter – government agency:-** Each specialized agency in an inter – government agency and is established by international treaty or by an agreement between the agency and ECOSOC subject to approval by the General Assembly.
- 6. Activities of the specialized agencies:-** There are 15 specialized agencies, which operation in affiliation with the UN. We shall identify and describe the activities of following UN development agencies such as UNDP, UNICEF, WHO, UNESCO and the world bank.

**II. Short Questions and Answers**

**4 Marks**

**1. Describe the functions of the world bank as the main UN financial agency for development**

Ans: The most important financial agencies of United nations are the international Bank for reconstruction and development or world bank and the international monetary fund. World bank came into

existence on December 1945. The bank has its head quarters at Washington. The bank has a board of governors the executive director and the president. They will be elected on the basis of weighted voting i.e., a member country's number of votes are as per the amount of financial contribution or shares in these bodies.

- a) The chief function of the bank is to raise the standard of living.
- b) Restoration of economies destroyed by wars.
- c) The encouragement of development of productive facilities and resources in less developed countries.
- d) And to raise level of productivity by investments.

World Bank loans falls into two board categories.

- 1. Long term loans:** Loans aimed to create the physical and social infrastructure necessary for poverty reduction and construction basic education schools – rural development, water sanitation, natural resources management and health.
- 2. Short term loans:-** Promotion of the market structures as well as political institutional reforms. About 300 billion dollars worth of aid has been given so far for development projects. Among them major investments from the rich countries. So they are dominated by the rich countries. They are also not accountable to the united nations.

## **2. Explain the working of the united nations development programme (UNDP)**

Ans: A number of other bodies exist in the economic social filed which are not as directly subject to economic and social council direction or control, but they are closely related to ECOSOC. These agencies are, economic commission for Europe, Asia, Pacific, Latin America, Africa and West Asia. These agencies include UNDP, UNICEF, WHO, UNESCO, etc.

**UNDP:-** UNDP is the leading development agency of the UN system. It was established in 1965. Although UNDP can offer no finance, it helps the developing countries through training programmes, bringing technical experts to developing countries.

Some of the projects under taken by this agency are as follows:

1. Promoting gender equality
2. Food security, women's empowerment
3. Extension of medical care in rural and urban slums

In all it spent more than \$ 40 billion for various projects. In May 2001, announced the establishment of New UNDP democratic governance trust fund to launch programmes in such areas as public sector reforms, improving parliamentary system. Conflict prevention and peace building in the least developed countries. UNDP in partnership with the Indian government initiated in July 2004 a four year project in Kutch district of the state of Gujarat to promote productive use of renewable energy.

### **3. Describe the role of UNICEF in promoting the welfare of Children.**

Ans: Created in 1946, UNICEF concentrates mainly on the task of improving the lot of disadvantaged children. Its headquarters is New York. UNICEF undertakes projects on health education, Malaria eradication, nutrition, rural development, family and child welfare. It has made an important contribution to a better environment for children in India and identified the problem of excess fluoride in ground water resources. Rajasthan and Andhra Pradesh are the most severely affected states. In recognition of its social and humanitarian efforts UNICEF was awarded Nobel Prize in 1965.

### **4. Explain the working of WHO.**

Ans: World health organisation came into existence in 1948. It works for “the attainment by all peoples of the highest possible level of health” whose aims are 1) Preventing the spread of diseases 2) curing disease 3) preventing the outbreak of disease. It has encouraged research with cheap preventatives especially vaccines for tuberculosis and DDT for Malaria. Since heterosexual transmission of the human immunodeficiency virus (HIV) that causes AIDS, is becoming the predominant spread of HIV in most countries of the world. WHO is engaged in research for vaccine to cure AIDS. A very important programme WHO is polio Eradication – immunization. Another important campaign of UN health agency WHO is against the use of tobacco especially in developing countries.

WHO has its headquarters in New York and a technical office in Geneva. The machinery of the WHO comprises of the world health assembly with representatives of all member states.

## **III. Very Short Questions and Answers**

**2 Marks**

### **1. Write about functions of world Bank**

Ans: The International Bank for Reconstruction and Development or World Bank is an important international financial agency. It came into existence on December 1945. The bank has its headquarters at Washington. The bank is a borrower as well as lender. Its important functions are;

1. The chief function of the bank is to raise the standards of living.
2. Restoration of economies destroyed by wars.
3. To raise level of productivity by investments, etc.,

### **2. Write about UNICEF or United Nations International Children's Emergency Fund**

Ans: UNICEF or United Nations International Children's Emergency Fund came into existence in 1946. It concentrates exclusively on the task of improving the lot of disadvantaged children. Its headquarters is New York. UNICEF has undertaken projects on health, education, malaria, eradication, rural development, family and child welfare and emergency aid to promote child welfare. It has made an important contribution to save the children from the problem of fluoride in ground water in Rajasthan and Andhra Pradesh.

### **3. Write about UNDP (United nation development programme)**

Ans: UNDP is the leading development agency of the UN system. It was established in 1965. Although UNDP can offer no finance, it helps the developing countries, through training programmes, bringing technical experts to developing countries. Some of the projects under taken by the agency as follows:

1. Promoting gender equality
2. Food security and
3. Extension of medical care in rural and urban slums.

### **4. Write about WHO (World health organization)**

Ans: World health organization came into existence in 1948. Its technical office is in Geneva. It works for “the attainment by all peoples of the highest possible level of health” WHO aims are:

1. Preventing the spread of diseases
2. Curing the disease
3. Preventing the outbreak of disease.

It also aims to direct and co-ordinate international health work, to give technical assistance to government to promote research to prevent epidemics and to improve nutrition, sanitation and other condition.

### **5. Write about UNCTAD**

Ans: The UNCTAD or united nations conference on trade and development came into existence in 1964. Its head quarters is Geneva. It was established to attain the objectives of economic and social council. It wants to protect international trade for the benefit of developing countries. It has served the developing countries in many ways. It made efforts to ensure preferential and tariff concessions in the developed countries for the items promised by the developing countries development assistance for low – income countries and debt relief.

### **6. Write about NIEO (New international economic order)**

Ans: During 1970s the world economy encountered a number of crisis. The UNCTAD and UN General assembly went a step further and questioned the unjust international economic order. To protect the economic interests of the developing countries, the UN gave a call in 1974 for establishment of a new international economic order (NIEO) welded to the ideals of equity and justice for all nations, rich and poor. It stood for 1) participation of all countries solve world economic problems on the basis of equality 2) It also stood for developed countries should help the developing countries etc.,

#### **IV. One Word Questions and Answers (In Text Questions)**

##### **A) Intext questions 32-1**

**Answer the following:**

1. First development decade was launched by the UN in \_\_\_\_\_ (1960)
2. The first UNCTAD was held in \_\_\_\_\_ (1964)
3. The bulk of the UN's resources is devoted to economic and social development activities (True / False)
4. The group of 77 is a group of rich developed countries (True / false)

##### **B) Intext questions 32-2**

**Fill in the blanks**

1. The main organs of the United Nations which take initiatives for economic and social activities are \_\_\_\_\_ and \_\_\_\_\_ (**The general assembly and the economic and social council**)
2. The head quarters of FAO is in \_\_\_\_\_ (**Rome**)
3. The regional economic commissions in UN System are part of \_\_\_\_\_ (**Economic and social council**)
4. The short name of the International Bank for Reconstruction and development is \_\_\_\_\_ (**World Bank**)

##### **5. Mark the following as True or False**

1. The United Nations Development programme (UNDP) is the main funding agency for development Projects and programmes (True / **False**)
2. The full form of IMF is Indian money fund. (True / **False**)
3. The world Bank helps the developing countries to correct balance of payments deficits (True / **False**)



# Public Service Commissions

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## Introduction

The Civil Servants Occupy an important role in the successful administration of state at different levels. Therefore, their recruitment, training, emoluments conditions of service, promotion policies etc. Assume importance. For an impartial consideration of these matters relating to civil servants, an independent and expert authority is required which is known as the institution of public service Commission.

One of the important features of our constitution is the inclusion of public Service Commission at both Union and State levels in the constitutional itself.

While UPSC and SPSC are constitutional bodies, a Joint Public Service Commission is created by an Act of parliament.

## Objectives

After completing this lesson, you will be able to

- Explain the necessary of an independent agency to recruit civil servants
- Describe the composition of the UPSC
- Explain the functions of the UPSC
- Explain the Composition of State Public Service Commission.
- Identify functions of State Public Service Commission
- Recall the constitutional provision for the Joint Public Service Commission
- Discuss the constitutional promises relating to Independence of Public Service Commission



## **I. Essay Questions and Answers**

**8 Marks**

### **1. Explain the composition and functions of the Union Public Service Commissions?**

Ans: The responsibility for recruitment of Civil Servant at the Union Level has been entrusted to the Union Public Service Commission. The Composition of the UPSC is determined by the president of India. At present, it consists of a chairman and eight members. Half of those have administrative experience of more than 10 years while the other half belong to liberal professions like law, academics and so on.

The members of the UPSC are appointed by the president for a term of six years or till they attain the age of 65 years. They can relinquish office earlier by tendering their resignation to the president. The president can also remove them before expiry of their term on grounds of proved misbehavior. The president can issue orders for the removal of the members of the UPSC only after the supreme court makes such a recommendation on the basis of an enquiry. Members of the UPSC are not eligible for employment by the government after retirement.

Main Functions of the UPSC:

1. To conduct examinations for appointment to service under the union.
2. To advise the president in matters relating to the methods of recruitment to civil services, their promotions and transfers and disciplinary action against civil servants.
3. To advise the president with regard to the claim of person regarding costs incurred by him during execution of duties.
4. To advise the president with regard to compensation in respect of injuries sustained by a person while serving the government.
5. To discharge such other functions in respect of services of the union or local authority which it may be assigned by the parliament.

It may be noted that the functions of the commissions are only advisory and it is not obligatory on the part of the government to act upon the advice of the commission.

The Commission submits an annual report on the work done by it to the president. The president places the report of the Commission before the parliament along with a memorandum as regards the cases where the advice of the commission was not accepted and the reasons for such non-acceptance.

### **2. How are the Chairman and the other members of the UPSC and the State Public Service Commission appointed and what are their qualifications?**

Ans: For the purpose of the higher level civil services of the Union Government, the constitution provides for the setting of the UPSC. The number of members of the commission and the conditions of their services are left to be determined by the president, which means government. It has since been decided that there shall be a chairman and six to eight members of the commission. At present the strength of the commission is nine including the chairman. The Chairman and

members of the commission are appointed by the president. The constitution provides that at least half of the members have to be persons served for at least ten years under the Government of India or a state government.

A member holds office for a term of six years from the date of he joins duty or until he attains the age of 65 years, whichever is earlier. The conditions of service of members cannot be changed to their disadvantage after appointment. Their salaries allowances etc. are not submitted to the vote of parliament as they are charged on the consolidated Fund of India.

The president can also remove them before expiry of their term on ground of proved misbehaviour. The president can issue orders for the removal of the member of the UPSC only after the Supreme Court makes such a recommendation on the basis of an enquiry. Members of the UPSC are not eligible for employment by the government after retirement.

Each state in India has a Public Service Commission. The constitution stipulates that the Governor determines the number of members of the Commission. At least half of the members have ten years of experience under central state government. Members are appointed by the Governor for a term of six years or until the age of 62 years. Though the Governor is the appointing authority but the members can be removed only by the president. A member of SPSC on retirement or otherwise can be appointed as chairman or member of UPSC or as chairman of that or any other State Service Commission.

As in the case of UPSC. The State PSC submits its annual report to the governor. The Governor goes through the report to the placed before the state legislature. The SPSC performs the same functions in regard to its respective states public services as are performed by the UPSC in regard to the Union Government

**Joint Public Service Commission:** Two or more states may agree that there should be one Public Service Commission for them. If a resolution to that effect is passed by the House or by each house of legislature (where there is two houses) of respective states. Parliament may by law provide for the appointment of a Joint PUBLIC Service Commission to serve the needs of those states. The Chairman and other members of this Joint Commission are also appointed by the president.

**Functions of the State Public Service Commission:**

1. To conduct the Examinations for appointment to services under state government
2. To advice on the suitability of candidates for appointment, promotion and transfer.
3. To advice the government in matters relating to the methods of recruitment, their promotions and transfers and disciplinary action against civil servants.
4. To advice on claims of legal proceedings instituted against a government servant and on the claims in respect of injurious sustained by a government servant while on duty.
5. To advice on any other matter specifically referred by the president.

## II. Short Questions and Answers

4 Marks

### 1. Describe the need for an independent agency to recruit civil servants?

Ans: Recruitment of civil servants has to be neutral, unbiased and free from prejudices of any kind. Then along any merit system will inspire confidence. To ensure objectivity and impartiality in recruitment, several measures have been taken. The constitution of an independent agency in the form of Public Service Commission for recruitment is one. Through this agency

1. The executive branch has been divested of the power of making recruitment to the superior levels of civil services
2. The agency thus created is an extra-departmental body such as a Commission, which functions outside the normal machinery of government.
3. A special constitutional status is conferred on this agency to ensure autonomous function.

It must be remembered that the commission is only a recruiting agency, an not an appointing authority. The authority of making appointments rests with the governments. The commission is an advisory and recommendatory body. Its decisions are not mandatory. Normally government may not always accept what the commission suggests. However, in such cases the reasons for not accepting the recommendations have to be explained and recorded.

### 2. How does the constitution of India ensure independence of Public Service Commission?

Ans: The following constitutional provisions are intended to make the commission, both UPSC and SPSC, independent of any external influence.

1. Members are appointed for a fixed tenure of six years or until the attainment of sixty five years of age in the case of UPSC, and sixty-two years in the case of SPSC.
2. The conditions of service of a member cannot be changed to his disadvantage during his tenure of office.
3. The removal of a member can take place by an order of the president on certain specific grounds in consultation of the Supreme Court.
4. The expenses of the commission are charged on the consolidated fund of India.
5. All regulations to be issued by the government excluding any matter from the purview of the commission will have to be laid before the parliament or the state legislature for such modification as it may deem fit to make.
6. Further employment of any member is severely restricted.

### 3. What is Civil Service? Mention one important functions of the Civil Servants?

Ans: In the words of Herman Finer, Civil Service is a professional body of officials, permanent, paid and skilled. Civil Service means all the government servants who are recruited on the basis of

open competitions and merit and who holds office on permanent basis and who have not to resign when there is a change in the cabinet. Civil Servants hold office on hierarchical basis. They remain politically neutral and do not take part in active politics.

One important function of civil servants is the execution of policies and programmes framed by the political executive.

**4. Explain the significance of a constitutional status for the commission?**

Ans: The constitutional status is intended to ensure the commission to function without fear or favor. This can be facilitated when its composition, role and authority, privileges of its members, method of appointment and removal of members, qualifications for appointment and ground for removal etc. are constitutionally protected. The commission can function without being influenced by political or other extraneous consideration. Conferment of constitutional status is, thus, meant to provide safe guards against any possible encroachment on the authority and independence of the commission either by the executive or the legislature.

**III. Very Short Questions and Answers**

**2 Marks**

**1. Roll of Civil Servant personnel in India?**

Ans: Civil Services occupy a significant place in the efficient and effective administration of the Country. Economic development, Social harmony political enlightenment and materialistic progress of a country depend to a great extent up on the honesty, integrity and ability of the Civil Services. The Civil Service personnel must possess such great qualities like administrative ability, technical knowledge, rationalistic out look, independent Judgment, impartial treatment and unbiased attitude in fulfilling their functions. Civil Service Personnel had a great role in providing smooth and state Administration.

**2. Write an evolution Public Service Commission ?**

Ans: The Government of India Act 1919 proposed the Service Commission. In 1926, for the first time the Public Service Commission are created. IN 1935, THE Federal Service Commission was set up. Later in the new constitution of India in 1950, the Union Public Service Commission came into existence in the place of Federal Service Commission. Article 315 has provided for a Public Service Commission for a Union and PUBLIC Service Commission for each state.

**3. Write Composition of Union Public Service Commission.**

Ans: For the purpose of higher level civil services of the Union Government the constitution provides for the setting up of the UPSC. The number of members of the UPSC and their conditions of service are determined by the president. At present, there are nine members and a chairman, who are appointed by the president. The tenure of office is fixed for Six years or until the attainment of 65 years of age which is earlier. A member can be removed by the president on the grounds of misbehavior as establishment by the Supreme Court.

**4. In what conditions, the UPSC Chairman, or members are removed from office?**

Ans: It is also provided that the chairman or a member of the Commission can be removed from office by the president on the ground of misbehavior. It is only after an inquiry by Supreme Court, on a reference being made to it by the President A member including the chairman would be deemed guilty of misbehavior if he becomes interested in any monetary benefit in the discharge of duties as a member.

**5. Explain any two functions of Union Public Service Commission?**

Ans: 1. To advise the government on all matters relating to the method of recruitment to Civil Services either directly or by promotion  
2. It conducts the examinations for appointments to the all India Services and the Central/Union Services.  
3. It interviews the candidates for direct recruitment.  
4. To advice on disciplinary matters affecting government servants.

**6. Write the composition of State Public Service Commission?**

Ans: The constitution has provided for Public Service Commission for each state. The State Public Service Commission Consists of a Chairman and other members. They are appointed by the Governor of the state. The Governor determines the number of members by an order. The Chairman or the members hold office for six years or until they attain age of 62 years, which ever is earlier. The Chairman and members are receive their Salary from consolidated Fund of India. They may be removed by a special procedure. The President of India can remove them on ground of misbehavior as established by the Supreme Court.

**7. Write expenses of the Commission?**

Ans: Article 322 of our constitution provided that the expenses of the Union and State Public Service Commission including, any salaries, allowances and pensions payable to or in respect of the members shall be charged on the consolidated Fund of India or on the consolidated Fund of state in the case of State Public Service Commission.

**8. Write a Joint Public Service Commission?**

Ans: Two or more States may agree that there should be one Public Service Commission for them. It a resolution to that effect is passed by the House or by each house of legislature of the respective states. Parliament may by law provide for the appointment of a Joint state Public Service Commission to serve the needs of those states. The Chairman and other members of this Joint Commission are also appointed by the President.

**IV. One Word Questions and Answers (In Text Questions)**

1. The administrative machinery of the Government is run by –
  - a. Elected representatives
  - b. Ministers
  - c. Civil Servants
  - d. People of India

2. An independent constitutional agency to recruit civil servants is known as:
  - a. Staff Selection Board
  - b. Election Commission
  - c. Planning Commission
  - d. **Public Service Commission**
3. An independent agency for recruitment of Civil Servants is required because:
  - a. **It maintains the merit system and neutrality in Civil Services.**
  - b. It protects the rights of the people.
  - c. It services the aspirations of the ministers
  - d. It is an appointing authority of the Civil Servants
4. Public Service Commission is a
  - a. **Constitutional body**
  - b. Statutory body
  - c. Body set up an executive decision.
  - d. none of these
5. Public Service Commission works as
  - a. **A recruiting agency**
  - b. An appointing authority
  - c. An advisory body on all govt. appointments
  - d. none of these
6. The Chairman and the members of the UPSC can be removed from their post by the
  - a. Council of Ministers
  - b. **President**
  - c. Prime Minister
  - d. Supreme Court
7. It is the duty of the President of India to place the annual report of UPSC before:
  - a. Supreme Court of India
  - b. **Parliament**
  - c. Comptroller and Auditor General of India.
  - d. Council of Ministers
8. Under Article 321 of the Indian Constitution additional Functions to the UPSC can be assigned by the:
  - a. President
  - b. Prime Minister
  - c. **Parliament**
  - d. Supreme Court
9. The age limit up to which a member of the state PSC may hold his post is:
  - a. 60 years
  - b. **62 years**
  - c. 63 years
  - d. 64 years
10. The tenure of a member of SPSC is:
  - a. 4 years
  - b. 5 years
  - c. **6 years**
  - d. 7. years
11. The Chairman of the Joint Public Service Commission is appointed by the:
  - a. **President**
  - b. Governor
  - c. Prime Minister
  - d. Supreme Court

## Administrative Machinery at the Centre, States and District Levels

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### Introduction

India has adopted a federal form where there is a clear demarcation of subjects and powers between the Central Government i.e., Govt. of the Union and the State Governments. It is a federation but with a distinction. Through, federations have two tier governing arrangement but India has created a third structure of governance. Since 1992 when the Country enacted the 73<sup>rd</sup> and 74<sup>th</sup> amendments of the constitution. Since then local Government in India, both rural and urban has been included in the constitution. It is a bold measure of empowerment of local government. Today, there are twenty eight states and seven centrally administered territories. Study of Indian Administration is a study among other things of the structures at the district, local and the Central levels. The most influential level among these, continues to be of the Central Government which determines to a great extent, the role and responsibilities of other organs. The purpose of this lesson is to describe the administrative machinery at the central, States and districts levels. There is no mention of the machinery of the government or the term like the Secretariat in the Constitution. There is simply a provision which empowers the President of India to make rules for the transaction of business

### Objectives

After studying the lesson, you will be able to

- Explain administrative machinery at the centre, state and district levels
- Identify at the centre level the important administrative organizations are the central Secretariat comprising Ministers, Departments and independent agencies. Boards and Commissions, the cabinet Secretariat and the Prime Minister's Office.
- Learn about the structure of administration at the state level is mainly the State Secretariat and the office of the Chief Secretary.
- explain district administration: The office of the District Collector, his position and changing role in the district, Sub-Divisional Officer and Block Development Officer, their functions.



## I. Essay Questions and Answers

8 Marks

### 1. Discuss the Organization of the Central Secretariat.

Ans: The work of the Government of India is divided into ministries and departments which together constitute the Central Secretariat. Central Secretariat may be defined as a common name for all the ministries and departments of the Central Government. The Political head of the ministry is the minister and the administrative head is the Secretary.

The three essential components of the govt. at the centre are the minister who decides upon policy, the Secretary who provides material and advice to reach such decisions and to oversee the implementation of decisions, and the executive head, who carries the decisions into effect. The Secretariat is a Policy Forming, Co-ordinating and supervising agency of the government. The Secretariat's primary responsibility is to assist and advise the ministers.

#### Functions of Central Secretariate:

1. Making and modifying policies from time to time
2. Forming legislation rules and regulations
3. Sectoral planning and programme formulation.
4. Budgeting and Control of expenditure
5. Supervisions and control over execution of Policies and programmes by field agencies and evaluation of results.
6. Co-ordination and integration of policies and programmes, contact with State Governments.
7. Developing greater organizational competence and
8. Assisting the minister in discharge of his parliamentary responsibilities

Secretariat is to assist and advice the political executive in policy making. However, the Secretariat has come to be criticized on various grounds which may be stated as follows: it takes upon itself a number of field functions; it tends to indulge in empire building: over a period of time the secretariat has turned into an over grown institution and over staffing is apparent in many areas: Secretaries very often tend to take a superior attitude vis-à-vis the field agencies. With the increase of a number of departments in the Secretariat, co-ordination has become the real problem.

Lack of adequate delegation of work to executive agencies, widespread desire to postpone decisions to over-consult, to over co-ordinate etc. all lead to delay in the work of the Secretariat. These faults lie not with the concept of the Secretariat but with the manner in which it has been functioning.

### 2. What are the main functions of the Cabinet Secretariat?

Ans: The Cabinet Secretariat was created in 1947, another administrative machinery of the centre is cabinet Secretariat, it can be understood in terms of organization and function. It is headed by politically, by the Prime Minister and administratively, by the Cabinet Secretary.

Today the cabinet Secretariat has three wings-Civil wing, Military wing and Intelligence wing. In 1988, the Directorate of Public Grievances was set up as its organ. The Cabinet Secretariat has subject related advisors to the Prime Minister.

The function of the Cabinet Secretariat is to provide Secretarial assistance to the Cabinet and its various committees and make preparations them for the meetings of the Cabinet, providing information and material necessary for its deliberations; it keeps a records of the discussions and decision of the Cabinet. Besides circulation of memorandum on issues awaiting cabinet approval and circulation of the cabinet decisions to all ministries and preparation and submission of monthly summaries on a large number of specified subjects to the cabinet are also the function of the cabinet secretariat. It also oversees the implementation of cabinet decisions by the concerned ministries and other executive agencies. For this purpose, it can call for information from the various ministries/departments. In accordance with the instructions issued by the Cabinet Secretariat, each ministry sends it a monthly statement showing the progress in the cases relating to cabinet decisions.

He next important role of the Cabinet Secretary is that of functioning as he Prime coordinating agency in the Government of India. Several cases are brought before the Cabinet Secretariat involving the president, the Prime Minister, various ministries and the parliament, on which it provides aid, advice and assistance.

**Main Functions of Cabinet Secretariat :**

1. Cases involving legislation including the issuing of ordinances. Addresses and messages of the president to the Parliament.
2. Cases involving negotiation with foreign countries on treaties and agreements etc.
3. proposals for ending delegations of persons abroad in any capacity .
4. proposals to appoint Public Committees of enquiry and consideration of reports of such enquiries.
5. Cases involving financial implications
6. Cases which a minister puts to the Cabinet for decision and directions cases of disagreements among ministries.
7. proposals to vary or reserve decisions
8. Cases which the president or the Prime Minister may require to be put before the Cabinet.
9. proposals to withdraw prosecutions instituted by the Government.

**3. What are the important roles of the Prime Ministers Office Principal Secretary to the prime minister?**

Ans: The Prime Minister as the head of the Government and the real executive authority plays a very significant and crucial role in the politico-administrative system of the Country. In the fulfillment

of his various responsibilities he is assisted by the Prime Minister's Office (PMO). It provides secretarial assistance and crucial advice to the Prime Minister. He plays an important role in the process of decision making at the top level in the Government of India. However, it is an extra constitutional body. It came in to existence in August, 1947 when India emerged as an independent nation and was called the Prime Minister Secretariat. In June, 1977 its name was changed and now it is known as Prime Ministers Office. (PMO)

**Composition :** PMO is headed by politically by the Prime Minister and administratively by the Principal Secretary. It consists of some additional Secretaries and Joint Secretaries.

The Principal Secretary to the Prime Minister plays an important role and perform the following functions:

1. Deals with all governmental files in the office.
2. Puts before the Prime Minister (PM) all important documents and information for orders and instructions.
3. Prepares notes on matters to be discussed by the PM with important dignitaries.
4. On the directions of the PM looks after the affairs of different ministries and departments.
5. Co-ordinates the activities of various personnel in the office.
6. Maintaining liaison with central ministers and the State governments, help the PM in discharging his responsibilities as chairman of the planning Commission and National Development Council acts as the Public relations agency of the PM and is considered as the "think-tank" of the PM. "think-tank" means group of experts studying and solving problems.

The critics have described the PMO variously as "Super Cabinet" 'micro cabinet', 'super Secretariat' the government of India and so on. PMO has specially been strengthened during Smt. Indira Gandhi and Sri Rajiv Gandhi's time and continues to be so till today.

#### **4. Discuss the powers and functions of the District Collector.**

Ans: A district is placed under the charge of District Officer called District Collector, the king-pin of our administration. He is the Chief representative of the government in the District. Since 1772 when the office of district collector was created during the British regime, at that time, he performed activities chiefly related to collection of land revenue maintenance of law and order etc. Since independence its role has become increasingly multidimensional. He belongs to the Indian administrative service. Though, a lot has been said about the developmental role of the Collector. He has to deal with many political leaders and political parties which have enhanced his responsibilities.

#### **Role and Functions of District Collector**

- 1. Revenue Functions:** District Collector is the head of the revenue administration of the District. In this he performs the following functions: to collect land revenue, to collect other government

duties, to distribute and recover tacking loans to maintain land records, to collect rural statistics, to implement land reforms, to look after the welfare of the agriculture, to pay rehabilitation grant etc. In this regard the Collector is assisted by the several officers like District Revenue Officer, Sub-Collector, Joint Collector, Deputy Collector and Mandal Revenue Officer besides there are many V.D.O. and non-gazetted personal in the District. Who act as the field staff in revenue matters.

- 2. Magisterial Functions:** The Collector acts as the district magistrate. He promulgates prohibitory orders during riots. He supervises the subordinate committees. He can inspect Police Stations and sanction permission for starting news papers. He also issues no objection certificates for explosives, petrol bunks, cinema halls etc.
- 3. Electoral functions:** The Collector acts as the Chief Electoral Officer in the district. He takes steps to conduct elections to the various representative bodies. He sees that parties, people candidates and other organizations follow the rules and regulations of Election Commission.
- 4. The Developmental functions :** The Collector acts as the Chief Co-ordinator between the officials of various departments and personnel in the matters of district development. He implements the development programmes of the Union and State Govts. in the district.
- 5. Civil Supplies:** The District Collector is responsible for the effective distribution of essential commodities like food grains, Kerosene, sugar etc. He keeps constant which on the distribution of these essential goods.
- 6. Census operations :** The Collector is the Chief Census Officer at the district level on behalf of the Union and State governments, he conduct census for every ten years.
- 7. Functions relating to Panchayati Raj:** The Collector is the ex-officio member and permanent invite to the meetings of the local bodies in the district. He sends periodical reports to the State government on the nature of functioning of these bodies on the directives of State government.
- 8. Other Functions:** In addition to the above, he also exercises the following functions.

These are: Revenue matters Concerning Welfare of ex-Servicemen.

1. Provision of irrigation facilities
2. Supervision over treasuries
3. Acting a the Chief Protocol Officer.

**Role of the District Collector:** The District Collector Plays a crucial role in the affairs of local governments in the district. He serves a the friend, Philosopher and guide to the common men living in the district. He also serves as a link between people and local bodies in the district. Normally the common men seek guidance and solves from the Collector in times of natural calamities and other unforeseen contingencies.

## II. Short Questions and Answers

4 Marks

### 1. What do you understand by the State Secretariat? Explain its importance.

Ans: Like the Central Secretariat, there is a State Secretariat at the level of each state. It consists of several ministries and departments of the state government. The ministries, departments are headed politically by ministers, and administratively by the Secretaries. The Chief Secretary is the head of the entire State Secretariat. He is usually a senior IAS Officer. The number of Secretariat Departments vary from state to state. It ranges from 15 to 35 departments. There are certain departments which are found common to all the states. These are mainly General Administration, Home, Finance, Jail, Forest, Agriculture, labour, Panchayati Raj, Public works, education, etc. Secretariat department consists of officers who are appointed for a fixed tenure. The hierarchy of the secretariat officers is similar to the central secretariat.

**Functions:** The State Secretariat performs mainly the following

1. To assist the minister in the fulfillment of his task
2. To formulate the policies and programmes of the state government.
3. To Co-ordinate amongst the programme of the state government.
4. To prepare the state budget.
5. To frame legislation, rules and regulations.
6. To review the results of the execution of the policy.
7. To maintain contacts with central and other state governments.
8. To receive the complaints, representations and appeals from the people and solve them.
9. To serve as a tank. Tank of the state government.

### 2. What is the main function of the Director ?

Ans: The Minister, the Secretary and the executive head are the three components of the government at the state level. The minister and the secretary together constitute what is popularly known as the secretariat. The office of the executive head, on the other hand, is termed as the directorate. The directorates function under the state secretariat. A Secretariat is concerned with policy making. While a directorate is concerned with policy execution. Thus, directorates are the executive arm of the government. The directorates are located outside the secretariat.

The functions of the Head of the Directorate are:

1. To provide technical advice to the ministers
2. To prepare the budget of the department.
3. To inspect implementation of work by the departmental district staff.
4. To render aid to the SPSC regarding promotions and disciplinary actions.

5. To organize the service training programmes for developmental officers. Besides, Directorates constantly try to improve the efficiency in the implementation of the departmental programmes.

### **3. Discuss the functions of the Block Development Officer.**

Ans: Block Development Officer plays key role in the district administration particularly, socio, economic development of the rural area and smooth functioning of Panchayath Raj system, when community Development blocks were created and they were placed under B.D.Os and BDO was made responsible for all round development of the block. Later Panchayat Raj institutions were also placed under his supervision. Generally two development blocks have been created in a tahsil and in some states tahsil level development blocks have been created.

B.D.O. is appointed by the state government and they are recruited through state public service commission. His main functions are as under.

1. He acts as the Secretary of Panchayat Samithi and is responsible for execution of decisions taken and plans made by the Panchayat Samithi.
2. He is responsible for the execution of all government developmental plans in his area the help of various extension officers and other staff at his disposal.
3. He supervises the working of Panchayats that fall within the Block area.
4. He arranges for Panchayat Samithi meetings, prepare its agenda. Maintains the minutes of the proceedings and sends them to higher authorities for information and approval.
5. He exercises administrative authority over the Personnel working in the Panchayati Samithi.
6. Thus the main task of the BDO is to manage the affairs of Panchayati Samithi and execution of development plans.

### **4. Explain the powers and Functions of Chief Secretary.**

Ans: Chief Secretary is the head of the state secretariat. He is the administrative head of the state administrative. He leads, guides and controls the entire state administration. He is, in fact, Chief of the Secretaries and his control extends to all the Secretariat departments. He is the senior most Civil servant in the state.

#### **Powers and Functions:**

1. He acts as the Principle adviser to the Chief Minister on all matters of state Policies and administration.
2. He acts as the Secretary to the State Cabinet. He prepares agenda for cabinet meetings and keeps records of its proceedings.
3. He is Chief coordinator of state administration and resolves inter departmental disputes.
4. In times of crises like drought, floods, famine, communal disturbances etc. the Chief Secretary plays the role of crises administration.

5. He also acts the head of the state civil service. He deals with all cases related to appointment, transfers and promotion of senior state civil servants.

### **III. Very Short Questions and Answers**

**2 Marks**

#### **1. Central Secretariat**

Ans: The work of the Government of India is divided in to ministries and departments which together constitute the central secretariat. Central secretariat may be defined as a common name for all the ministries and departments of the central government. The Political head of the ministry in the minister and administrative head is the Secretary. The main function of the secretariat in to advise the minister concerned in matters of policy and administration.

#### **2. Cabinet Secretariat:**

Ans: The Cabinet Secretariat was created in 1947. It is headed Politically by the Prime Minister and administratively by the cabinet secretary. To day the Cabinet Secretariat has three wings. Civil wing, Military wing and Intelligence wing. In 1988, the Directorate of Public Grievances was set up as its organ. The Cabinet Secretariat has subject related advisors to the Prime Minister.

#### **3. Cabinet Secretary:**

Ans: Cabinet Secretary is the administrative head of the Cabinet Secretariat. The office of the Cabinet Secretary was created in 1950. The Cabinet Secretary functions under the leadership of the Prime Minister who is its minister incharge at the political level. He is drawn from the senior most officers of the Indian Administrative Services. It is expected that he should be a man of rich administrative experience.

#### **4. Prime Ministers Office:**

Ans: The Prime Minister as the head of the government and the real executive authority, plays a very significant role in the Politico – administrative system of the Country. In the fulfillment of his various responsibilities he is assisted by the Prime Ministers Office. It provides secretarial assistance and crucial advice to the Prime Minister. It came into existence in August, 1947, was called Prime Ministers Secretariat. In June, 1977 its name was changed and now it is known as Prime Ministers Office. (PMD).

#### **5. State Secretariat:**

Ans: Like the Central Secretariat, there is a State Secretariat at the level of each state. It consists of several ministers and departments of state government. The ministers, departments are headed by politically by the ministers and administratively by the Secretaries. The Chief Secretary is the headed of the entire state secretariat. He is usually a senior IAS Officer. The State Secretariat performs mainly, to assist the minister in the fulfillment of his task and to formulate the policies and programmes of the State government.



#### **6. Chief Secretary:**

Ans: Chief Secretary is the head of the state secretariat. He is the administrative head of the state administration. He leads guides and controls the entire state administration. He is, infact, Chief of the Secretaries and his control extends to all the secretariat departments. He is the Senior most civil servant in the state.

#### **7. The Office of the Directorate:**

Ans: The minister and the Secretary together constitute what is popularly known as the Secretariat. The office of the executive head, on the other hand, is termed as the directorate. The directorates function under the state secretariat. A Secretariat is concerned with policy making, while a directorate is concerned with policy execution. Thus directorates are the executive arm of the government. The directorates are located outside the secretariat.

#### **8. Block Development Officer: (B.D.O.)**

Ans: In 1952 Community Development Programmes started. A Tahsil was divided into many blocks for administrative purposes. These blocks were in direct contact with the villages and could get the development programme at the block level effectively. B.D.O. is the main co-ordinator who implements the development programmes. He functions as agent of the state government under the supervision of the tahsildar. He is closely related to the Panchayat Raj system.

#### **9. Mandal Parishad Development Officer. (M.P.D.O.)**

Ans: The M.P.D.O. is the Chief Executive Officer of the Mandal Parishad. He is appointed by the state government. He is responsible on one hand to the Mandal Parishad and on the other hand to the state Government. He has complete supervision and control over the maintenance, development, routine matters, personnel, buildings and properties of the Mandal parishads.

#### **10. District Collector:**

Ans: The Office of the District Collector was at first constituted in 1772 during the reign of British East India. After India's Independence, Collector's role became increasingly multidimensional. Now District Collector belongs to the Cadre of I.A.S. He is appointed by the UPSC. The Union government gives posting and training in different departments. The Collector has a direct role in involvement in the implementation of various programmes of the central and state governments.

### **IV. One Word Questions and Answers (In Text Questions):**

**Fill in the blanks:**

1. In a Federal form there is a clear division of subjects between the **central government** and the **state Government**
2. To day India is composed of **28** states and **07** Union Territories.

3. Indian administrative system is to be studied mainly at **Central, State, District** and **local levels**.
4. District and local administration has assumed more importance after **73<sup>rd</sup>** and **74<sup>th</sup>** constitutional Amendments
5. Central Secretariat is composed of all **Ministries** and **Departments**
6. What is the main function of the Secretariat? **A. To assist in policy making** To implement the Policies.
7. Who is the administrative head of the Secretariat?  
**Ans:** The Secretary.
8. The Secretariat works as a **Single**. Unit with **Collective** responsibility.
9. Which of the following is not awing of Cabinet Secretariat?
  - a. Civil wing                      b. Military wing
  - c. Administrative wing**      d. Intelligence wing
10. Describe the organization of the cabinet Secretariat  
**Ans: It is composed of three wings – Civil – Military and Intelligence and the Directorate of Public grievances.**
11. In which year the cabinet Secretariat was established?
  - a. 1947**                      b. 1961
12. The Chief Function of the Cabinet Secretary in to provide the assistance to the Council of Ministers.
13. The office of **Cabinet Secretary** was created in 1950.
14. Cabinet Secretary has to maintain complete **Secrecy** about these matters.
15. He admises the **Prime Minister** on whatever matter his advice is sought
16. Prime Ministers office provides **Secretarial assistance** and Crutial advice to the Prime Minister.
17. In 1977 Prime Minister Secretariat name was changed and now it is known as **Prime Minister** office.
18. The **Principle Secretary** to the Prime Minister plays and important role.
19. At Present, the Prime Minister office has over **350** people under its roof.
20. What is the correct ascending order of the following officers in the Secretariat?
  - a) Joint Secretary   b) Deputy Secretary   c) Additional Secretary.   d) Secretary   e) Under Secretary   f) Section Officer

**Answer : f, e, b, a, c, d.**

21. Secretariat is the serve centre of **State administration**.
22. The Two main functions of state Secretariat, **to prepare the state budget** and **To serve as Think. Tank of state government**.
23. Chief Secretary stands at the **Apex** of the state administrative machinery.
24. Which of the following statements is true?
  - a. It is the district level that the common man comes in to direct contact with the administration. \_\_\_\_\_ False.
  - b. **The District Collector acts as the eyes, nose and arms of the state government.** —  
\_\_\_\_\_ **True.**
25. Which of the following statements is False?
  - a. district has been the territorial unit of administration in India \_\_\_\_\_ True.
  - b. **A district is defined as a sufficiently large territory with an overall unity, having common historical, geographical, social and economic conditions** \_\_\_\_\_ False.
26. District administration in the total functioning of the **Government**.
27. The office of the District Collector was created in:
  - a) 1771                      b) **1772**                      c) 1774                      d) 1777.
28. The District Collector is the head of
  - a) Police Department                                      b) **Revenue Department**
  - c) Judicial Department
29. Who acts as the Returning Officer for Parliamentary and Assembly Elections?
  - a) Superintendent of Police                                      b) District Judge
  - c) **District Collector**
30. The Revenue Functions of the District Collector are to collect **Land Revenue** and to maintain **Land records**
31. B.D.Os main functions are **(1) Development Management (2) Management of Panchayat Samithi**.
32. B.D.Os prepare's the budget at the **block level**.

# Political Executive and Bureaucracy

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## Introduction

The working of government rests on two pillars-political and permanent executive. The smooth working of this system depends on the harmonious relationship between the two. In recent years, however the administrative and political environment has changed which has produced tensions in the mutual relationship of the two groups. So let us first understand the meaning and role of bureaucracy and then analyse the relationship between the political executive and bureaucracy and finally identify the recommendations of administrative reforms commission for streamlining the relationship between the minister and the civil servants and reflect up on the present scenario in India in this respect.

## Objectives

After reading this lesson you will be able to

- explain the meaning of the term 'bureaucracy'
- Recognize the role and importance of bureaucracy in development
- Analyse the relations between the political and administrative Wings of government
- Identify the causes of stress sources of confrontation between them
- Recall the recommendations of the Administrative Reforms Commission;
- Understand what is meant by politicization of bureaucracy and reflect up on the present scenario

## I. Essay Questions and Answers

**8 Marks**

### 1. Enumerate the factors responsible for the break down of the concept of neutrality?

Ans: There has been a decline in political neutrality concept of public services in India and they have started taking interest in active politics in indirect ways. Srimathi Indira Gandhi favoured a committed bureaucracy who should adopt all measures, even departure from declared rules and

policies to go in line with the ruling party . But such a committed bureaucracy is not desirable and can not give good administrations

Political neutrality of civil services has been adversely affected in many ways as under;

1. There is too much interference of political bosses in the administrative matters like posting , transfers , promotions and demotions of public servants .
2. Political bosses who have no knowledge of working of administration and are also not well informed of rules and regulations, want that their orders, good or bad , practicable or impracticable must be obeyed by the public servants .
3. Political bosses put pressure on the public servants for departure from declared policies for the benefit of some individual case or to favour a particular person. They want the work done whether it is according to law or not .
4. These days there are coalition governments at the centre and the state. The minister wants to keep their allies satisfied at any cost and political interference on the administration has increased as well as the pressure on the public services to bend and interpret the rules and laws in a way to accommodate the alliance partners. It has very badly affected the political neutrality.
5. Many bureaucrats have also started to take advantage of the situation, they want to patronize some political bosses for their individual benefits like posting on plum posts , transfer to good places and this has also increased the corruption in the department.
6. Whenever there is a change of guards or in the ruling party , the new government effects mass – scale transfers and the ministers bring such bureaucrats on responsible position who follow their orders blindly . Many administrators use political influence or forge alliance with the politicians to brighten their own career prospects.

It is there fore essential that nexus between public services and political bosses must be broken and public services perform their function with out any political interference . Then they would not be subject to harassment and vast scale transfers by the new ruling party

## **2. Out line the various suggestions made by Administrative Reforms Commission for improving the Minister - Civil servant relationship ?**

Ans: Expressing concern over the deteriorating administrative standers , the government appointed the administrative Reforms Commission (ARC) in 1966 to conduct a comprehensive study of the administrative system and suggest remedies .The two most important areas touched up on by the ARC in its reports were :

- a) Minister – Civil servants relationship, whenever the ARC emphasized the need for the de-politicization of the services, and
- b) The creation of a climate and culture of administration that would help assert the growth of unhealthy personal relationship between civil servants and ministers.

The ARC took cognizance of the fact that proper relationship between the political executive

and bureaucracy is a matter of highest importance to the administrative performance of government. For instance the extent of bureaucratic involvement in politics was exceptionally high, there was frequent use of transfers and postings to manipulate bureaucracy, there was unholy nexus between politicians and bureaucracy etc, which was taking its toll on administrative efficiency. Therefore corrective measures were required to restore the health of the system.

The ARC stressed the urgency to prevent bureaucracies' aggressive role in politics and also a need to check arbitrary interference of politicians in administrative affairs. It believed that both Minister and Civil servants must appreciate rather than belittle each others work and attempt maximum accommodation of the ARC.

- a) A proper understanding of the administration functions and recognition of its professional nature.
- b) As little interference as possible in service matters e.g. Postings, transfers, promotions etc.
- c) No requests for departures from declared and approved policies to suit individual cases.

**Similarly on the part of the Civil Service it asserts.**

- a) There must be a sincere and honest attempt to find out what the political head wants and make the necessary adjustment in policies and procedures to suit his wishes.

Readiness falls in line with his political chief in all matters, unless strong grounds indicate a different course.

In other words, it means an emotional and mental acceptance by the bureaucracy of the ideology of the government policy to be executed by it.

**Recent Developments:** In spite of the valuable recommendations made by the ARC to streamline the relationship between the minister and the civil servants, nothing much seems to have changed because of political and administrative apathy. Making the matters worse in the growth in recent times of nexus between the politicians, criminals, police and the civil servants, rooted in the considerations of 'mutuality of benefit'. An increasing use of money and muscle power by the mafia and the criminals a close nexus has come to prevail between the politicians and the criminals resulting in 'Criminalization of politics'. This has been the main conclusion of the Vohra Committee Report of 1993 submitted by the then Home Secretary. Mr. N. N. Vohra which was set up to look in to the criminalization of politics. It pointed out how the nexus was virtually running a parallel government, pushing the state apparatus in to irrelevance. Here the two elites- political and administrative, join hands and become not only thick friends but also ground thieves.

Therefore it was felt that corrective steps must be taken to ensure that the evil nexus is curbed with this objective in mind, the Prime Minister inaugurated a conference of Chief Secretaries in November 1996 on "An agenda for an effective and responsive administration". The conference emphasized the need for bringing about transformation in public service so as to make them more effective, clean, accountable and citizen friendly. So the basic commitment of the civil servants towards the welfare of the public and the principles enshrined in the constitution is reiterated. We only hope that the implementation of the proposed action plan will be effective.

## II. Short Questions and Answers

4 Marks

### 1. Define Bureaucracy?

Ans. The term “Bureaucracy” lacks a definition that is universally accepted. Bureaucracy is sometimes used in a disparaging manner to mean unimaginative rigid, and inefficient government administrators. It is associated with red-tapism, delay and wastefulness. Many social scientists however, describe bureaucracy in a natural way to mean a specific form of social organization involved in administrative efforts. It is a machine, which is needed to run the government of the day. It is the only tool available to any modern government to administer. Society has become more complex today. Accordingly the government has become huge complicated machinery which can be serviced and run only by a distinct group of officials known as bureaucracy.

### 2. What are the major characters of Weber model of Bureaucracy?

Ans. Max Weber, the German social scientist who was the first to make a systematic study of Bureaucracy, described it as rational and the most efficient form of organization. He described an ideal-type of bureaucracy as one characterized by :

1. Officials organized in fixed jurisdictional areas.
2. a hierarchical arrangement of office (organized in a pyramid like structure with each lower office under the control of hier one.).
3. Written documents (files) that contain rules to be applied in every case.
4. Anonymity.
5. Impersonality in applying rules uniformly.
6. Political neutrality.

Bureaucracy with such formal characteristics is considered as essential for running in a large organization.

### 3. Explain the principles of politics- administration dichotomy?

Ans. The conventional view of public administration is based upon the dichotomy of politics and administration, that is administration and politics should be kept separate. Politics or policy making is no proper activity of the legislative bodies and administration is the proper activity of administrators who carry out politics. It is opposed when a political role of the civil servants. It visualizes the relationship between the administrator and the politician in terms of a neat division of labour the politician formulate the policy and the administrator executes it.

### 4. What do you mean by “committed Bureaucracy”? Is it desirable for India?

Ans. Weber’s model of Bureaucracy was found inappropriate to effect the social transformation in many developing countries. Mrs. Indira Gandhi, then Prime Minister advocated the concept of committed Bureaucracy. She expressed doubt about the relevance of the basic assumptions underlying the Indian Bureaucracy that the neutrality, impartiality, anonymity, etc. and she alleged



that the bureaucrats lacked commitment. She disgustingly referred to the administrative machinery as the “stumbling block in the country's progress” and reiterated the necessity of creating and administering cadre committed to national objectives and responsive to Indian social needs.

The concept of committed bureaucracy was much contested in the political and administrative circles. It would create a breed of pliable civil servants who would always say “yes minister” and would be ready to crawl when asked to bind by their political masters. It was also alleged that in the name of commitment the ruling party was seeking bureaucracies' alignment with the party's ideology in order to perpetuate its rule.

Thus, committed bureaucracy stands for a non-partisan, socially sensitive civil service which can empathize with the politician who is generally, interested in progress and development of the country.

**5. Mention the causes of stress in the minister-civil servant relationship? Or**

**6. How does politicization of bureaucracy affect the political system?**

Ans: The efficient administration of government depends upon political and permanent executive. The smooth working of this system depends on the harmonious relationship between the two. In recent years, however the administrative and political environment has changed, which has produced tensions in the mutual relationship of the two groups. In practice commitment has assumed the perverted form of politicization and sycophancy. Commitment to social objective is one thing and dancing to the tune of a political party is another. Very often it is seen that bureaucracy simply acts according to the dictates of the political executive without any independent examination of issues. This trend can be attributed to the ever growing political interference in the affairs of administration. Political interference in all matters including those where the statutory power is vested in the civil servants is a constant phenomenon. There are numerous instances of use of transfer, promotion, supercession and compulsory retirement from service by elected politicians as tools to silence the voice of dissent and expression of differences of opinion.

Politicization works the way round also. Many administrators use political influence to forge alliance with the politician to brighten their own career prospects. They take advantage of the amateur politician; exploit his weakness particularly in times of a fluid political situation and turn out to be autonomous and irresponsible. This is an equally grim scenario.

What emerges out of the analysis whether there is collision between the political executive and bureaucracy, it leads to organizational imbalance and ultimately the governance suffers?

### **III. Very Short Questions and Answers**

**2 Marks**

**1. What is meant by bureaucracy?**

Ans: Bureaucracy means administration by the Officials. Members of bureaucracy are the Civil Services. It is also called as permanent executive in democratic set up. It means all those government servants who are appointed and hold office on permanent basis.

## 2. Max Weber

Ans: Max Weber the German social scientist who was the first to make a systematic study of bureaucracy, described it as rational and the most efficient form of organization. Bureaucratic authority is characterized by these features;

- |                                |                                      |
|--------------------------------|--------------------------------------|
| 1 Functioning officials        | 2 Hierarchical ordering of positions |
| 3 Reliance on written document | 4 Office management                  |
| 5 Conduct in office            |                                      |

## 3. The concept of committed bureaucracy?

Ans: The concept of committed bureaucracy was much contested in the political and administrative circles. Mrs. Indira Gandhi, the then Prime Minister, advocated the concept of bureaucracy. Committed bureaucracy stands for a non-partism, socially sensitive civil service, which can emphasize with the politician who is genuinely interested in progress and development of the country.

## 4. The role of Bureaucracy in development.

Ans: Bureaucracy has become a universal phenomenon. It is a pre-requisite of modernization of every society. Most developing countries are engaged in the process of nation building and bringing about rapid socio-economic development i.e. providing social services such as health, education, infrastructure like roads, electricity, productivity activities in agriculture industry etc. The complex of such formidable activities connected with the development enterprise is essentially governments responsibility.

## IV. One Word Questions and Answers (In Text Questions)

Fill in the blanks :

1. The parliamentary system rests on two pillars of \_\_\_\_\_ and \_\_\_\_\_  
Social / political / economic / **administrative**
2. The prime minister and the council of ministers fall under the \_\_\_\_\_ category.  
Social / Economic / **political**
3. Main functions of the political executive is \_\_\_\_\_ **Decision Making** / Film Making
4. Main functions of the administrative executive is \_\_\_\_\_  
**Policy implementation** / election campaigning
5. Bureaucracy is selected on the basis of \_\_\_\_\_.  
Wealth / **Merit**
6. Concept of bureaucracy was first developed by German Philosopher \_\_\_\_\_.  
Karl Marx / **Max Weber.**

7. Max Weber described bureaucracy as the **Rational** and most **Efficient**.
8. **Bureaucracy** is the main mechanism through which the state implements its development programmes.
9. Bureaucracy no longer performs only **Regulatory** functions. It performs Welfare **functions** too .
10. Conventional view of public administration is based up on the dichotomy of **Administrative** .
11. The doctrine of **Neutrality insulates** the civil service from any **politicization**.
12. In India civil service Conduct Rules Prohibit **government** employees to participate in politics .
13. It is now an accepted fact that bureaucracy contributes to both , policy **making** , and policy **implementation** .
14. Minister is rarely an expert in his field so he is forced to rely on the **Bureaucracy** for facts and advice .
15. **Indira Gandhi** referred to Indian Bureaucracy as a major stumbling block and reiterated the necessity of creating a **Committed Bureaucracy** .
16. Bureaucracy was criticized for not demonstrating enough **Commitment** to development needs and programmes .

# Public Grievances and Redressal Machinery

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## Introduction

In democracy, the citizens make the government and hold it accountable. Government is operated by bureaucracy for whom the rules and regulations are more important than helping the citizens. Also, it tends to keep things secret and department like electricity and water-supply, railways and telephones etc., exercise their own power. Citizens register many complaints against government machinery. The grievances of citizens against government machinery need to be heard and redressed otherwise, citizens will tend to withdraw their loyalty towards it. Hence, democracy sets up appropriate machinery for the redressal of citizen's grievances.

## Objectives

After studying this lesson, you will be able to

- recognize the importance of redressal of public grievances in a democracy ;
- Identify and explain various instruments of redressal of public grievances
- Explain the role of Lokpal and Lokayukta ;
- Understand the role and working of Central Vigilance Commission

## I. Essay Questions and Answers

**8 Marks**

### 1. What are the various instruments of redressal of public grievances?

**Ans:** In a democracy, the citizens make the government and hold it accountable. Government is operated by bureaucracy for whom the rules and regulations are more important than helping the citizens. Citizens register many complaints against government machinery. The grievances of citizens against government machinery need to be heard and redressed otherwise, citizens will tend to withdraw their loyalty towards it, To deal with administrative-corruption and to redress citizens grievances

simplification of rules and procedures has been suggested and carried on in practice . Besides these, new institutions have also been recommended and actually set up in many countries.

Created for the redressal of public grievances, the institution of “Ombudsman “ is typically Scandinavian . Ombudsman, a Swedish word, stands for an officer appointed by the legislative to handle complaints against administrative and judicial action .As an impartial investigator , gets at the facts objectively, and reports back to the legislature .

**Indian Instrumentation:** In India it has been observed by many committees and commissions that special machinery should be set up to deal with public complaints against the administration. Various institutions exist to redress public grievances. For instance, a citizen can move the court to seek remedy against any wrong done to him by a public servant of discharge of public duty . This is called Judicial Remedy. Many kinds of administrative Tribunals have been set up to provide cheap and speedy justice to the complainant. The Income Tax Appellate, Labor Tribunals etc are instances of this type of institution.

Secondly, parliamentary procedure provides for opportunities to raise questions in parliament by the elected representatives, concerning their constituencies. Also , there is a parliamentary committee called the committee on petition . A citizen may submit petitions to secure redress against an act of justice.

Thirdly, under the provisions of the public servants Act , departmental as well as public agencies can be instituted against a public servant for his misconduct .

Fourthly, complaint forums have been set up at different levels to deal with public complaints. For example in a public bus or in a railway station, there are complaint boxes to receive complaints from public .

The government has also Department of Administrative Reforms and public Grievances. This is the nodal agency of the government for Administrative Reforms as well as redressal of public grievances

The enactment of Administrative Tribunal Act 1985 opened a new chapter in the sphere of administering justice., to the aggrieved government servant and in some cases public members.

## **2. What is the role of Central Vigilance Commission?**

**Ans:** Being alarmed at increasing rate of corruption; a high power committee was set up by government of India in 1962 under the chairmanship of K . Santhanam. The Santhanam Committee recommended, setting up of Vigilance Commissions at the centre and in the various states. Vigilance Cells have since been created in several government departments and public sector undertakings. At the highest level there is Central Vigilance Commission (CVC) .

The CVC is headed by the Central Vigilance Commissioner, appointed by the President of India , for a period of six years or until he attains the age of 65 years , whichever is earlier . The Commissions office is located in the Ministry of Home Affairs having an autonomous status .In

addition to the Commissioner , it consists of a Secretary , one officer on Special Duty , one chief Technical Commissioner , 3 Commissioners for departmental enquiries , 2 under secretaries , and 6 Technical Commissioners . It's Jurisdiction extends to all employees of the Central government and the employees in public undertakings, Corporate bodies and other organizations dealing with matters falling within the executive powers of the Central Government. However,. It cannot probe cases of corruption against Ministers and Members of Parliament.

The CVC receives complaints directly from the aggrieved party. It also gathers information about corruption from other sources such as press reports , audit objections etc. on receiving complaints , the commission may ask ;

1. the concerned Ministry / department to inquire in to them;
2. the Central Bureau of Investigation (CBI) to make an inquiry; and
3. the CBI direction to register a case and conduct an investigation . Prosecution, however depends on the approval by the appropriate sanctioning authority..

The CVC has laid down procedures to be followed by the administrative ministers in the case of complaint received by them . The CVC may advice the minister in respect of all matters relating to integrity in administration . It can also take over under its direct control any complaint or case for further action .

Besides these, the CVC has a role to play in the case of the appointment of Chief Vigilance Officer of each ministry . The CVC is to be consulted before giving such an appointment. More over, the CVC has been empowered to assess the work of the Chief Vigilance Officer . This assessment is recorded in the character rolls of the officers. Finally all proposals for re-organizing or strengthening the vigilance organization by the Chief Vigilance Officers are to be referred to the CVC for scrutiny .

The role of CVC is limited because it is not a statutory commission and has only advisory role. Further, the procedure of investigation is so vexatious that people do not desire to be involved in long and unpleasant proceedings. As it is consulted, the commission is virtually an extension of the bureaucratic apparatus of the central government and its operations are very much hedged in by the over powering ministers / departments and the political forces at the centre .

## **II. Short Questions and Answers**

**4 Marks**

### **1. Why is redressal of public grievances very important for a democracy?**

Ans: Though democracy is a government which is run by the elected representatives and who try to run it according to the wishes and requirements of the people . Yet people have so many complaints and grievances against the government. To make the democratic system healthy and successful a machinery for redressal of the grievances is provided in the government system itself.

The provision of machinery for redressal of grievances has its own importance which is clear from following points:

1. It keeps the citizens satisfied and they feel attached with the government.

It builds up public opinion in favor of the government which strengthens the hands of the ruling party.

2. It brings to the nation of the government as to the opinion of the people about the functioning of government and weakness of the administration and enables the government to taken corrective measures.

3. This provision enhances the faith of the people in the political system and ensure them that they can get inexpensive and quick justice.

4. It acts as a link between the people and the government and strengthens the bond between the two .

5. It ensures the existence of rule of law and people feel that even the government officials can be punished for their wrong doing .

## **2. What is meant by public Grievance?**

Ans: Public Grievances mean anti government feelings of the people based upon unsatisfactory services, high handedness and discourteous behaviour on the part of the officials unnecessary delay in getting work done in government offices , no availability of basic necessities of life easily , high price of consumer goods , non-performance of duties by the government employees , delay in running of public transport , non-availability of the hospital staff with the patients and soon . There can be so many causes of grievances of the people. If these grievances are not promptly redressed they can turn in to public riots .

## **3. Ombudsman:**

Ans: Created for the redressal of public grievances, the institution of “Ombudsman” is typically Scandinavian. The office of Ombudsman has been in existence in Sweden since 1809 and in Finland since 1919, Denmark introduced the system in 1955. Norway and New Zealand adopted it in 1962, and the United Kingdom appointed the parliamentary commissioner for Administration in 1967 . Several countries in the world have since adopted the Ombudsman-like institution.

Ombudsman, a Swedish word , stands for an officer appointed by the legislature to handle complaints against administrative and judicial action . As an impartial investigator the Ombudsman makes investigations, gets at the facts objectively, and reports back to the legislature. The complainant has simply to write to the Ombudsman appealing against an administrative decision. The Ombudsman system has been popular because of its simple and speedy nature. It is a cheap method of handling appeals against administrative decisions

## **4. What is the role of Lokpal and Lokayukta ?**

Ans: Departmental as well as public enquiries can be instituted against public servants for their misconduct. Again complaint forums have been set up at different levels to deal with public



complaints. The Administrative Reforms Commission (1966) recommended the setting up of Lokpal for dealing with complaints against the administrative acts of ministers or secretaries to government, both at the centre and the states. In spite of several attempts the Lokpal Bill has again and again fallen through in parliament. It appears both that both the congress and non congress governments have not been sincere and serious enough about the enactment of the Lokpal Bill despite their public pronouncements to that effect and promise to give to the people a clean administration

Lok Ayukta is an authority who looks into all complaints of irregularities and misconduct committed by the high offices of the state administration and ministers and chief minister. Lok Ayukta is appointed by the state governor on the advice of the state high court and leader of the opposition in state legislature assembly.

### III. Very Short Questions and Answers

2 Marks

#### 1 What is meant by bureaucracy?

Ans: Bureaucracy means administration by the Officials. Members of bureaucracy are the Civil Services. It is also called as permanent executive in democratic set up. It means all those government servants who are appointed and hold office on permanent basis

#### 2. Max Weber

Ans: Max Weber the German social scientist who was the first to make a systematic study of bureaucracy, described it as rational and the most efficient form of organization. Bureaucratic authority is characterized by these features;

1. Functioning officials
2. Hierarchical ordering of positions
3. Reliance on written document
4. Office management
5. Conduct in office

#### 3. The concept of committed bureaucracy?

Ans: The concept of committed bureaucracy was much contested in the political and administrative circles. Mrs. Indira Gandhi, the then Prime Minister, advocated the concept of bureaucracy. Committed bureaucracy stands for a non-partism, socially sensitive civil service, which can empathize with the politician who is genuinely interested in progress and development of the country.

#### 4. The role of Bureaucracy in development.

Ans: Bureaucracy has become a universal phenomenon. It is a pre-requisite of modernization of every society. Most developing countries are engaged in the process of nation building and bringing about rapid socio-economic development. I.e. **providing** social services such as health, education, infrastructure like roads, electricity, productivity activities in agriculture, industry etc. The complex of such formidable activities connected with the development enterprise is essentially government's responsibility.

#### IV. One Word Questions and Answers (In Text Questions)

Fill in the blanks;

1. The parliamentary system rests on two pillars of —— and —— Social / **political** / economic / **administrative**
2. The prime minister and the council of ministers fall under the —— category. Social / Economic / political
3. Main functions of the political executive is —— **Decision Making** / Film Making
4. Main functions of the administrative executive is —— **Policy implementation** / election campaigning
5. Bureaucracy is selected on the basis of —— . Wealth / **Merit**
6. Concept of bureaucracy was first developed by German Philosopher —— Karl Marx / **Max Weber**.
7. Max Weber described bureaucracy as the **Rational** and most **Efficient** .
8. **Bureaucracy** is the main mechanism through which the state implements its development programmes.
9. Bureaucracy no longer performs only **Regulatory** functions. It performs Welfare **functions** too.
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