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## Role of the Indian Constitution

## Lesson Plan

## Contents

- ▶ An overview of the Indian Constitution, how it was formulated and its functions
- ▶ Understanding the manner in which the Constitution provides a framework for governance

## Objectives

- ▶ To understand the manner in which the Constitution evolved and came into force
- ▶ To learn about the major provisions of the Constitution and the structure of government it provides
- ▶ To know about the rights and duties of citizens and the guarantees under the Constitution
- ▶ To appreciate the significance of the Indian Constitution in the lives of the citizens of India

### Teacher's Aids

- ▶ Pictures, charts
- ▶ Blackboard
- ▶ Internet

### Tips for Teacher

- ▶ Explain the manner in which the Constitution of India evolved and its major provisions for the formation of the Indian government.
- ▶ Also explain the privileges and guarantees extended to the citizens of India. In doing so, explain the difference between 'freedom' and 'licence'—one should not take advantage of the freedom given by infringing upon the freedom of others or violate the dignity of others.
- ▶ Use role play by students to understand the manner in which we should conduct ourselves under the provisions of the Constitution.
- ▶ Students should be encouraged to know the significance and the sanctity of the Constitution and its provisions.

## ■ Background and Reading

- ▶ Read the lesson aloud and explain, sharing the aids, etc., pausing to examine and explain the data in the boxes.
- ▶ Particularly focus on the balance between the rights and duties of citizens.

### The Indian Constitution

- ▶ A country is governed by rules—which are contained in a document called a constitution.
- ▶ It is an important law—written or unwritten—it consists of the fundamental principles according to which a nation or state is governed.

### Need of the Constitution

- ▶ Constitution defines the role and powers of an elected Member of Parliament and State Legislature—In a democratic country people are elected to rule and serve the interests of the public—these are the guidelines for the government to frame its laws:
  - It lays down the basic ideals to govern the country.
  - It lays down certain principles that guide the decision-making of the country.
  - It provides laws for protecting the minority.
  - It grants the citizen the right to equality without being discriminated against.

### The Indian Constitution

- ▶ Constitution the fundamental doctrine for governing a country—almost all countries have their own constitution—a Drafting Committee of the Constituent Assembly framed the Indian Constitution after independence—Dr Rajendra Prasad was the President of the Constituent Assembly—Dr B.R. Ambedkar—the Chairman of the Drafting Committee.

### Drafting of the Indian Constitution

- ▶ Constituent Assembly took 2 years 11 months and 17 days to frame the Constitution—passed by the Assembly on 26 November 1949—came into effect on 26 January 1950.
- ▶ It is a living document—gets amended according to the needs and aspirations of society—changes are brought in through procedure called Amendments.

### The Preamble of the Indian Constitution

- ▶ Constitution begins with Preamble—the entire philosophy of Constitution is explained in Preamble—means 'introduction'.

### Features of the Indian Constitution

- ▶ India is a sovereign, socialist, secular, democratic republic—some of these terms were added later through amendments [like secular and socialist in 1976 by the 42nd Amendment].

### India is a Sovereign Country

- ▶ India is free from external control—formulates its own policies and is governed by its own government.

### **India is a Secular Country**

- ▶ This word and the next one, 'socialist', was added by the 42nd Amendment Act in 1976 to the Preamble—all religions are treated as equal and people following any religion have equal rights—no religious bias in the country.

### **India is a Socialist Country**

- ▶ As mentioned above, added by the 42nd Amendment Act in 1976—economic and social equality to citizens.

### **India is a Democratic Country**

- ▶ All citizens have political rights—right to vote and elect their representatives to the government—people are given political, economic and social democracy.

### **India is a Republic**

- ▶ The head of the state in India is the President—he/she does not have a hereditary right—he/she is elected by an Electoral College.

### **Parliamentary Form of Government**

- ▶ Elected representatives form the government at the Centre—called the Parliament—consists of two houses: Lok Sabha and Rajya Sabha—Lok Sabha: Lower house consists of legislature and executive—with representatives elected by adult franchise, irrespective of caste or creed.
- ▶ Division of powers between Centre and State guaranteed by the Constitution.
- ▶ Three lists: (i) State List—State has freedom to exercise powers on subjects in this list (ii) Union List—subjects of national importance (iii) Concurrent List—subjects of common concern.
- ▶ Three organs of government: (i) Legislature—a body that forms the laws and rules (ii) Executive—a body that executes the laws (iii) Judiciary—a body that settles disputes and interprets law.
- ▶ Constitution specifies the functions of each organ—each body acts as a check on the other by which a balance of power is ensured.

### **Fundamental Rights**

- ▶ The basic rights granted to citizens for holistic growth of individuals—teacher should enlarge the chart on page 173 of Srijan Social Sciences 8 while explaining the rights—Constitution lays down effective and clear procedures for the enforcement of fundamental rights.

### **Classification of the Fundamental Rights**

- ▶ Six fundamental rights—given to citizens to guarantee equality, liberty and justice.

### **Right to Equality–Articles 14-16**

- ▶ Constitution guarantees equality before the law–State cannot discriminate on basis of religion, caste, or place of birth–untouchability is abolished and punishable by law–provision of reservation for scheduled castes and scheduled tribes [and other backward communities]–laws made to ensure equal treatment to all citizens.

### **Right to Freedom–Articles 19-22**

- ▶ Six basic freedoms guaranteed to Indian citizens–(i) of speech and expression (ii) to assemble peacefully without arms (iii) to form associations and unions (iv) to move freely throughout the country (v) to reside and settle in any part of the country (vi) to practise any profession or carry out any occupation, trade or business.

### **Right Against Exploitation–Articles 23-24**

- ▶ Dignity of individuals recognised and protected against any type of exploitation–trafficking in human beings, begging and forced labour are prohibited by law–children below 14 prohibited from work in factories or any dangerous work.

### **Right to Freedom of Religion–Articles 25-28**

- ▶ Guarantees right to freedom of religion–all religions equal before law–right to practise and propagate religion of one’s choice.

### **Cultural and Educational Rights–Articles 29-30**

- ▶ Rights to minorities–people have right to conserve their script, language and culture–admission to any educational institution not to be denied on grounds of religion, caste and creed–every section has right to establish and administer educational institutions of his/her choice.

### **Right to Constitutional Remedies–Articles 32-35**

- ▶ Legal sanction given to citizens–also given right to judicial remedies in case of any infringement–to enforce this, a special right called the Right to Constitutional Remedies has been included in the Constitution–under this, citizens entitled to move court in case they are denied a right.

### **Right to Information [RTI]**

- ▶ Came into force on 12 October 2005–includes right to get documents, records, information–brings transparency in administration.
- ▶ Right to Property deleted from Fundamental Rights by the 44th Amendment passed in 1978.

### **Fundamental Duties**

- ▶ [The teacher can enlarge the chart on page 174 of Srijan Social Sciences 8 and use it to explain the Duties].
- ▶ Incorporated in the Constitution by the 42nd Amendment 1976–in order to promote patriotism and commitment among citizens and to help them strengthen the nation the

Fundamental Duties are:

- (i) To abide by and respect the Constitution, the National Flag and the National Anthem.
- (ii) To enrich and follow the noble ideals of the freedom struggle.
- (iii) To uphold and protect the sovereignty, unity and integrity of India.
- (iv) To defend the country and render national service when required.
- (v) To promote common brotherhood of all people in India and renounce practices derogatory to the dignity of women.
- (vi) To value and preserve the rich heritage of the nation's composite character.
- (vii) To protect and improve the national environment and have compassion for living creatures.
- (viii) To develop a scientific temper, humanism and a spirit of inquiry.
- (ix) To safeguard public property and abjure violence.
- (x) To strive for excellence in all spheres of individual and collective activity.

### Directive Principles

- ▶ Directives to the government which ensure social and economic reform – help the government to take steps to work for the nation's growth – provide for equal pay for equal work – right to adequate means of livelihood – set up village panchayats – protect forests and wildlife and monuments of national importance.

## Assessment Corner

### Oral Assignment

- A. Ask for answers at random from the students. Confirm the right answers. Let them write down the correct answers if they like in their books.

### Written Assignment

- B–E. The teacher has two options – (i) Either do these exercises orally first and then ask the students to write them down. OR (ii) Ask the students to write the answers on their own. Then the teacher can announce the correct answers to the students and they can ask their partners to cross-check them.

In either case, the answers can be written as homework and the teacher can check them in the class.

### Think Tank

- F. **HOTS questions:** Discuss the two questions in the class and let the students write the answers to F and G as homework. Teacher should assess individual work.