

BPSC-102: Constitutional Government and Democracy in India

(TUTOR MARKED ASSIGNMENT)

Assignment Code: BPSC-102/ASST/TMA/2025-26

Marks: 100

Assignment – I

Answer the following questions in about 500 words each.

(2 × 20 = 40 marks)

1. Discuss the fundamental features of the Indian Constitution. How do these features shape the democratic character of the Indian state?
2. Explain the composition and powers of the Parliament of India. How does it ensure the executive's accountability?

Assignment – II

Answer the following questions in about 250 words each.

(3 × 10 = 30 marks)

3. Examine the role and powers of the President of India in a parliamentary system.
4. What do you understand by the concept of constitutionalism? How is it reflected in India's constitutional structure?
5. Describe the federal features of the Indian Constitution. In what ways is Indian federalism unique?

Assignment – III

Answer the following questions in about 100 words each.

(5 × 6 = 30 marks)

6. What is the significance of the Preamble to the Indian Constitution?
7. Write a short note on the role of the Election Commission of India.
8. Define the concept of judicial review.
9. Mention any four Directive Principles of State Policy and their importance.
10. How are Fundamental Duties linked with ethical values?

Section → A

Ques: 1

Discuss the fundamental features of the Indian Constitution. How do these features shape the democratic characters of The Indian state?

Answer

The Constitution of India, adopted on 26 November 1949 and enforced on 26 January 1950, is not only the Supreme law of the land but also the foundation of India's democratic system. It incorporates certain fundamental features that distinguish it from other Constitutions and ensure that the Indian state functions as a Sovereign, democratic republic. These features were the result of intense debates in the Constituent Assembly and were shaped by India's Colonial past, national movement, and global democratic experiences. The fundamental features of the Constitution may be understood in the following ways:

- (1) Written and Lengthy Constitution: → At the time of adoption it contained 395 Articles and 8 Schedules. Its comprehensiveness reflects the diversity of India and ensures that every aspect of governance — rights, duties, division of powers, and administration — is well defined.
- (2) Preamble as Guiding Philosophy: → The Preamble declares India as a Sovereign, Socialist, Secular, Democratic, Republic securing Justice, Liberty, Equality and Fraternity to its Citizens. It reflects the ideals of the freedom struggle and provides direction to the Constitution.
- (3) Fundamental Rights: → Borrowed largely from the American

2

Bill of Rights, they guarantee civil liberties such as equality before law, freedom of speech and religion, protection from exploitation, and the right to Constitutional remedies. These rights protect individuals against state arbitrariness and are enforceable by courts.

(4) Directive Principles of State Policy (DPSPs): → Inspired by the Irish Constitution, DPSPs are non-justiciable guidelines to promote social and economic democracy. They direct the state to strive for welfare, reduce inequalities, and ensure dignity for all.

(5) Fundamental Duties: → Citizens are expected to respect the Constitution, promote harmony, and protect the environment and cultural heritage. These duties balance rights with responsibilities.

(6) Universal Adult Franchise: → Article 326 grants voting right to every citizen above 18 years, irrespective of caste, religion, gender, or economic status. This is a corner stone of political democracy.

(7) Federal System with Unitary Bias: → The Constitution provides for a division of powers between the Union and states (Union, State, and Concurrent Lists), but retains a strong Centre, especially during emergencies.

(8) Parliamentary System of Government: → Adopted from Britain, it ensures a responsible government where the Executive is accountable to the Legislature, and ultimately to the people.

(9) Independent Judiciary with Judicial Review: → The Supreme Court and high Courts act as guardians of the Constitution. They protect fundamental rights and maintain the balance of power among organs of government.

(10) Emergency Provisions: → Inspired by the Weimar Constitution, they allow the Centre to assume extraordinary powers during national crises, but with safeguards to prevent misuse.

The above features define the democratic character of India in the following ways: →

- Popular Sovereignty: → The Preamble begins with "we, the people of India...", making it clear that ultimate authority rests with the people.
- Political Democracy: → Fundamental rights, universal suffrage, and regular elections ensure equal participation in governance.
- Social and Economic Justice: → DPSPs and provisions for reservation work towards reducing inequality and uplifting weaker sections.
- Secularism: → By guaranteeing freedom of religion and prohibiting discrimination, the Constitution upholds religious equality, essential in a diverse society.
- Rule of Law and Equality: → The judiciary ensures that no one, including the state, is above the Constitution.
- Balance of Power: → The federal structure, parliamentary

System, and independent judiciary prevent concentration of power safeguarding democracy.

- Fraternity and Unity: —————> The emphasis on fraternity in the Preamble fosters national integration while respecting diversity.

Ques: 2

Explain the composition and powers of the parliament of India. How does it ensure the executive's accountability?

Answer

As per Article 79 of the Constitution of India, the Parliament consists of the President and Two Houses: The Upper House or Rajya Sabha (Council of States) and The lower House or Lok Sabha (House of the people). While the Lok Sabha is subject to dissolution the Rajya Sabha is a permanent chamber which cannot be dissolved. The office of the President also never remains vacant.

(1) The President: —————>

While the American President is not a part of the legislature (Congress), the President of India is an integral part of the Indian parliament. However, he cannot sit and participate in the deliberations in any of the Two Houses. The President of India performs certain important role vis-à-vis the parliament. The President summons and prorogues the House from one session to another and has the power to dissolve the Lok Sabha. A bill cannot become law without the President's assent even though the bill may be passed by both the Houses. The President also has the power to promulgate Ordinances when both the Houses are not in session. These ordinances though temporary in nature, have the same force and power as a law passed by parliament.

(2) The Lok Sabha: →

The lower House or the House of the people is popularly known as Lok Sabha. People of the Country directly elect members of the lower House. It includes not more than 530 members chosen by direct election from territorial constituencies in the states and not more than 20 members to represent the Union Territory. Moreover, the President may nominate two members of the Anglo-Indian Community if in his opinion the Community is not adequately represented in the Lok Sabha.

(3) The Rajya Sabha: →

According to Indian Constitution, the Rajya Sabha or the Council of States is the house of representatives of the states. The Rajya Sabha or the Council of States consists of not more than 250 members out of which 12 members are nominated by the President from amongst persons having 'special knowledge or practical experience in literature, science, art, and social service'. The remaining members are elected by the members of the state Legislative Assemblies on the basis of the population of the state. Unlike Lok Sabha, Rajya Sabha adopts the method of indirect election. There is no uniformity in the members or representatives of the Council of States. It largely depends on the population of the state. It means that the state which have small population). The number of representatives of the states to the Rajya Sabha varies from one (Nagaland) to 34 (Uttar Pradesh) depending upon the population of a state. The Council of States thus

reflects the federal character by representing the states or the Units of the federation.

(4) Special Powers of Rajya Sabha : —→

It has every right to seek information on all matters which are exclusively in the domain of Lok Sabha. It has no power to pass a vote of no-confidence in the Council of Ministers. It also does not have much influence on the matters of Money Bill. However, the Constitution grants certain special powers to the Rajya Sabha. As the sole representative of the states, the Rajya Sabha enjoys two exclusive powers which are of considerable importance. First under Article 249, the Rajya Sabha has power to pass a resolution by a majority of not less than two-thirds of members present and voting, declaring that it is 'necessary or expedient in the national interest'. The matter in such resolution shall be valid for one year. The second, Article 312 also provides special power to the Rajya Sabha to pass a resolution on another matter, i.e. to create one or more all India Services.

Parliament is the main mechanism through which the Executive (Council of Ministers) is held accountable to the people. Some important devices include :

- Collective Responsibility : —→ The Council of Ministers is responsible to the Lok Sabha. If the Lok Sabha passes a No-confidence Motion, the government must resign.

- Question Hour: → Ministers must answer questions posed by MPs. This brings Transparency and keeps the Executive alert.
- Zero Hour and Adjournment Motions: → Raise urgent matters without prior notice. keeps the government answerable for its actions.
- Budgetary Control: → No money can be spent by the executive without parliament's approval. Parliament examines expenditure through the Public Accounts Committee, Estimates Committee, and Committee on public Undertakings.
- Debates and Motions: → Discussions on policies and bills allow MPs to scrutinize government actions. Motions such as Censure Motion or Cut Motions act as tools of Control.
- Impeachment and Removal Powers: → Misconduct by high Constitutional authorities can be checked through parliamentary impeachment procedures.
- Special Sessions and Emergency Control: → In times of national emergency, parliament has the power to oversee and extend the emergency provisions thereby keeping the executive under scrutiny.

Section → B

Ques: 3

Examine the role and powers of the President of India in a Parliamentary System.

Answer

The Constitution of India establishes a parliamentary form of government in which the President is the nominal executive head, while real executive power rests with the Council of Ministers headed by the Prime Minister. The president symbolizes the unity of the nation and occupies a position similar to that of the British monarch, but with important constitutional powers. Though bound by the aid and advice of ministers (Article 74), the president performs crucial functions that sustain the democratic process and act as a check in times of crisis.

Role of the President in a parliamentary System: →

(1) Constitutional Head: → Functions as the formal head of state while actual power rests with the Council of Ministers.

(2) Guardian of the Constitution: → Ensures that governance remain within constitutional limits.

(3) Crisis Manager: → Plays a vital role during emergencies when extraordinary powers are vested in the office.

(4) Neutral Authority: → Expected to rise above party politics, embodying national unity and stability.

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(5) Discretionary Role : —————> Though limited, the President exercises discretion in cases such as :

- Appointment of Prime Minister when no party has a clear majority
- Dissolution of Lok Sabha in certain situations.
- Sending messages to parliament or returning a bill for reconsideration.

Power of the President : —————>

Article 53 deals with the executive powers of the president of India. The powers of the president are broadly divided into two types, namely, ordinary and emergency powers. The ordinary powers of the President can be defined as executive, legislative, financial and judicial powers.

Emergency Power : —————>

with the intention of safeguarding the sovereignty, independence and integrity of Union of India, the Constitution bestows emergency powers on the President of India. The President is empowered to declare three types of emergencies, namely, a) national emergency arising out of the war, external aggression or armed rebellion, b) emergency arising due to the breakdown of the constitutional machinery in the states and c) financial emergency.

Ques: 4

What do you understand by the concept of constitutionalism? How is it reflected in India's constitutional structure?

Answer

The term constitutionalism goes beyond the existence of a constitution in a state. While every country may have a constitution —

(15)

written or unwritten ——— Constitutionalism refers to a political and legal philosophy that emphasizes limited government, rule of law, protection of rights, and accountability of rulers. It insists that the exercise of power by the government must be constrained by Constitutional norms, ensuring that liberty and justice are not sacrificed at the altar of authority.

Constitutionalism is the idea that government derives its legitimacy from the Constitution and must function within the framework of Constitutional principles. It implies that power is not absolute, but subject to legal and institutional checks. The Indian Constitution, though lengthy and detailed, embodies the Principles of Constitutionalism in multiple ways.

(1) Preamble as Guiding Philosophy : ———→

- The preamble declares India as a Sovereign, Socialist, secular, Democratic, Republic.
- It emphasizes Justice, liberty, equality, and Fraternity, which serve as the foundation of constitutionalism in India.

(2) Fundamental Rights : ———→

- These rights protect citizens against arbitrary actions of the State.
- They uphold equality before law, freedom of Speech, religion and personal liberty.
- Judicial remedies under Article 32 (Right to Constitutional Remedies)

make these rights enforceable, ensuring government accountability.

(3) Directive Principles of State Policy: →

- Though non-justiciable, they reflect Constitutionalism by guiding the state to promote social and economic justice.
- They prevent the state from focusing solely on power and push it toward welfare objectives.

(4) Fundamental Duties: →

- Balance rights with responsibilities, strengthening the democratic ethos.

(5) Separation of powers: →

- Legislature makes laws, Executive implements them, judiciary interprets them.
- Though separation is not absolute, checks and balances ensure Constitutional governance.

(6) Independent Judiciary: →

- Supreme Court and High Courts act as guardians of the Constitution.
- Through judicial review, they can strike down unconstitutional laws and executive actions (e.g., Kesavanda Bharti Case, 1973 - Basic Structure Doctrine).
- This ensures that no organ exceeds its Constitutional limits.

Ques: 5

Describe the federal features of the Indian Constitution. In what ways is Indian federalism unique?

Answer

India is a vast and diverse Country. The framers of the Constitution had to create a system that ensured both autonomy for states and unity of the Nation. They adopted a federal structure, but with a clear tilt towards central authority to maintain integrity and stability. Hence, the Indian Constitution is often described as federal in form but unitary in spirit. Features of the Indian Constitution may be understood in the following ways:

(1) written Constitution: →

- The Constitution of India is the largest written Constitution in the world.
- It clearly defines the structure of government and the distribution of powers between the Union and the states.

(2) Dual Polity: →

- India has two levels of government: the Union and the state governments.
- Each functions within its own sphere of powers.

(3) Divisions of Powers: →

- The Seventh Schedule contains three lists: Union List, State List, and Concurrent List.
- Union List covers national subjects (defense, foreign Affairs, Currency), State List covers local subjects (police, agriculture) and Concurrent List allows joint action (education, forests).

- Residuary powers are with the Union.

(4) Supremacy of the Constitution: →

- The Constitution is the Supreme law of the land.
- Both Union and state governments function under it.

(5) Independent Judiciary: →

- The Supreme Court settles disputes between the Centre and states and protects.
- The Constitution through Judicial Review.

(6) Bicameral Legislature: →

- The Parliament has two Houses — Lok Sabha and Rajya Sabha.
- The Rajya Sabha represents the states, ensuring a federal element.

(7) Rigid Constitution: →

- Certain Constitutional amendments require approval not only by Parliament but also by half of the state legislatures.

It introduces strong unitary elements like a powerful Centre, single citizenship, emergency provisions, and integrated judiciary. Scholars like K.C. Wheare have called India a "Quasi-federal state" or a federation with a strong unitary bias. In reality, Indian federalism is unique — a system that balances unity with diversity, flexibility with strength, and autonomy with national integrity.

Section - C

Ques: 6

Answer

What is the Significance of the Preamble to the Indian Constitution?

The Preamble is the philosophical key to the Indian Constitution. It reflects the ideals and objectives that guided the Constituent Assembly in framing the Constitution. It proclaims India to be a Sovereign, Socialist, Secular, Democratic Republic, thereby expressing the nature of the state. It enshrines the values of Justice, liberty, equality and fraternity, which provide direction to governance and law-making. The Preamble also embodies the aspirations of the people, affirming that ultimate authority rests with them. Though not enforceable in courts, it plays a vital role in Constitutional interpretation and has been described by the Supreme Court as part of the basic structure. Thus, the Preamble gives spirit, purpose, and legitimacy to the entire Constitution.

Ques: 7

Answer

Write a short note on the role of the Election Commission of India.

The Election Commission of India is a Constitutional body established under Article 324 to conduct free and fair elections to the parliament, state legislatures, and the offices of the President and Vice-President. It supervises preparation of electoral rolls, enforces the Model Code of Conduct, monitors election expenses, and resolves disputes related to elections. The Commission also recognizes and monitors political parties. Its independence ensures im-

Partiality and prevents electoral malpractices, thereby strengthening democracy. By maintaining Transparency and Credibility in the electoral process, the Election Commission safeguards the Fundamental right of citizens to vote and upholds the principles of representative government in India.

Ques: 8

Define the Concept of Judicial review.

Answer

The notion of judicial review means the revision of the decree or Sentence of an Inferior Court by a Superior Court. Judicial review has a more technical significance in public law, particularly in countries having a written Constitution, founded on the Concept of limited government. Judicial review, in this case, means that Court of law have the power of testing the validity of legislative as well as other governmental action concerning the provisions of the Constitution. In England, there is no written Constitution. Here the parliament exercises Supreme authority. The Courts do not have the power to review laws passed by the Sovereign. However, English Courts review the legality of executive actions. In the United States, the judiciary assumed the power to scrutinise executive actions and examine the Constitutional validity of legislation by the doctrine of 'due process'. By contrast In India, the power of the Court to declare legislative enactments invalid is expressly enacted in the Constitution. Fundamental rights enumerated in the Constitution are made justiciable and the right to Constitutional remedy has itself been made a

Fundamental right.

Ques: 9

Mention any four Directive Principles of state policy and their importance.

Answer

Directive Principles of state policy are guidelines given in Part IV of the Indian Constitution to the government for establishing a just Society. They are non-justiciable but serve as a moral and political Compass in governance.

Four important Directive Principles are: →

- (1) Provision of adequate livelihood and social welfare: → To ensure economic justice for all citizens.
- (2) Equal pay for equal work: → To promote equality in employment and eliminate discrimination.
- (3) Promotion of education and public health → To secure 'citizens' well-being and human development.
- (4) Protection and improvement of environment and natural resources → To encourage sustainable development.

These principles guide the government in policy formulation and legislation, aiming to reduce inequalities and build a welfare state. They influence judicial interpretation, inspire socio-economic reforms, and help in creating a society based on justice, liberty, and equality, and fraternity, fulfilling the vision of the Constitution.

Ques:16

Answer

How are fundamental Duties linked with ethical values?

Fundamental duties cannot be implemented through legal means only. For them to be successful, the people have to be morally concerned. Fundamental Duties have ethical, social and economic significance. If a citizen performs his/her duties, he/she has moral claims on his/her rights. Fulfilment of duties can help in sustenance of environment and economic development. This in turn can help in achieving human development of society. The consciousness and realization to fulfill fundamental duties have increased in India during past some decades. The Court and Civil Society Organizations, political parties and governments have also underlined the significance of fundamental Duties for overall development of society.