

CLASS VIII CHAPTER 1 THE INDIAN CONSTITUTION

Why Does a Country Need a Constitution?

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1 Reasons

- A constitution helps to serve as a set of rules and principals that all persons in a country can follow and agree upon.

Example:

- Nepal was a monarch-ruled by a king or a queen. Later got its democracy in 2006.(got constitution in 2008)



CLASS VIII CHAPTER 1 THE INDIAN CONSTITUTION

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- Nepal's earlier constitution started that the king and his ministers exercise the whole power (in future can miss use it)

2 Reason

- Constitution safeguards this (only leaders can exercise power with people's interest.
- Constitution also ensures that a dominant group does not miss use its power against the less powerful one.



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- Constitution ends the domination and miss use of power against the minors.

3 Reason

- **Constitution save us from ourselves:**
 - Larger people give interest to ones issue or believe that might go wrong or create adverse effect.



The games period is about to begin

No! We will play cricket.

Let's play basketball today, for a change!

The teacher decides to settle the problem with a show of hands.

Obviously! There are more boys in the class.

Hee! Hee!
We've won!
We've won!

We always have to do what the boys want because they are in majority

Ma'am should think of another way to make decisions, so that our wishes are also heard.

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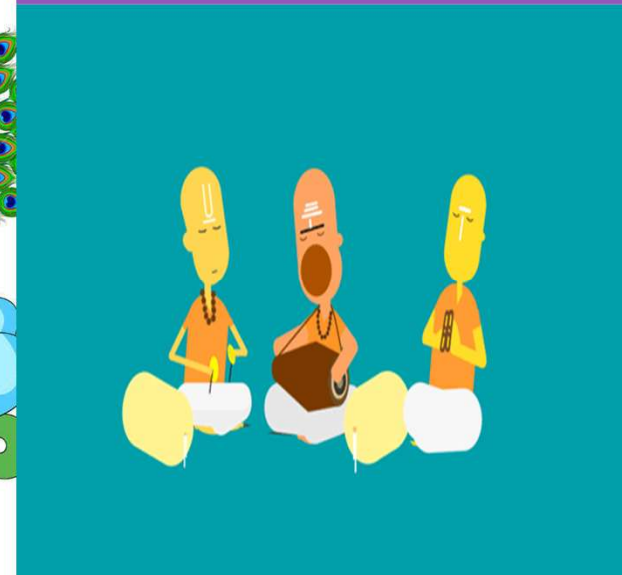
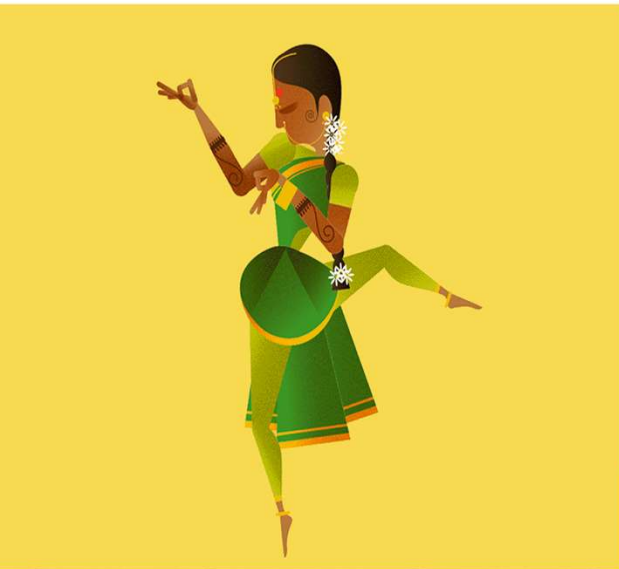
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The Indian Constitution Key Feature:

- 300 people became members of constituent assembly in 1946 (met constant 8 years to write const.)
- Constitution assembly drafted the constitution by ensuring diversity while preserving national unity.



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1. Federalism

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- refers to the existence of more than one level of government i.e. state and center. Decision could be made for the particular area.
- State follow the laws of center(both the gov.t follow rules of constitution and people obey policies made by these two government.



CLASS VIII CHAPTER 1 THE INDIAN CONSTITUTION

2. Parliamentary Form of Government:

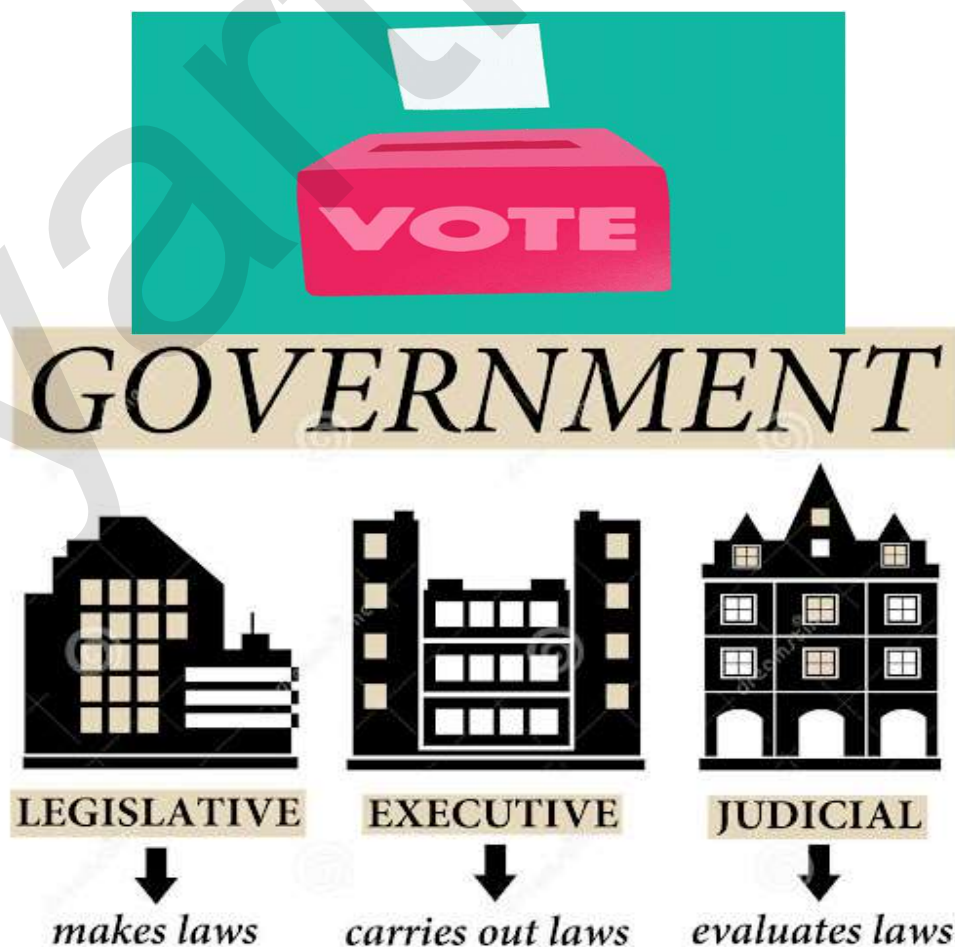
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- People can choose their representatives irrespective of his/her social background, can also contest in election.

3) Separation of Powers:

There are 3 organs of government:

Executive: smaller group of people (responsible of running and implementing laws)



CLASS VIII CHAPTER 1 THE INDIAN CONSTITUTION

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Legislature: peoples elected representatives.

Judiciary: the system of court in this country.

Each organ has different powers sanctioned along with each organs check other ones.



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Fundamental rights:

- Guarantees the rights of individuals against the state well as against other individuals
- Guarantees the rights of minority against the majority.

■ ***Directive principal of state policy:***

Designed by cons.t assembly(guide the independent states to institute laws and policies that helps reduce poverty of masses.



**HUMAN
RIGHTS**

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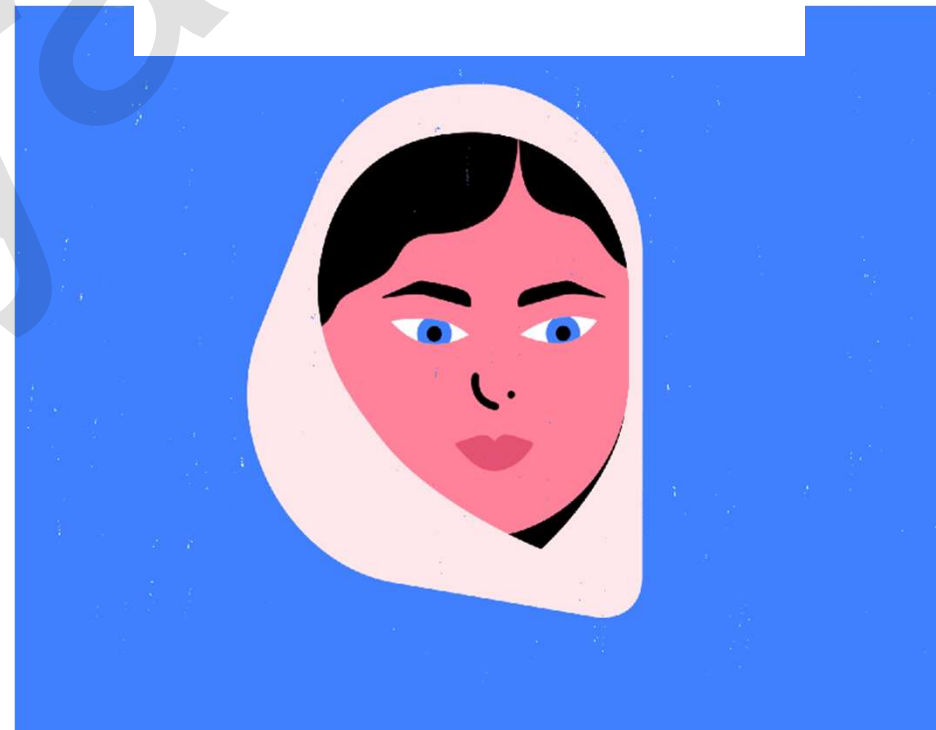
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secularism

- The state does not promote anyone religion as the state religion.

6 fundamental rights

- Right to equality
- Right to freedom
- Right against exploitation
- Cultural and education rights
- Right to constitutional remedies:
citizen can move to a court if finds its rights got violated.



CLASS VIII CHAPTER 1 THE INDIAN CONSTITUTION

Exercises

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Question 1. Why does a democratic country need a Constitution?

Ans.

- A Constitution helps serve as a set of rules and principles that all persons in a country can agree upon.
- It defines the right of a citizen over state and other person.

CLASS VIII CHAPTER 1 THE INDIAN CONSTITUTION

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Question 2. What is the difference in who exercises Executive Power in the 1990 Constitutions of Nepal? why do you think Nepal needs a new Constitution today?

Ans. In the 1990 Nepal constitution the Executive powers of the kingdom was entirely in the hands of the king. According to the interim constitution drafted in 2007 it was still under their king. People protested for a real constitution with a gov.t

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CLASS VIII CHAPTER 1 THE INDIAN CONSTITUTION

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Question 3. What would happen if there were no restrictions on the power of elected representatives?

Ans. If there are no restrictions on the power of the elected representatives the leaders might misuse the powers given to them. The Indian constitution provides safeguards against this misuse of power by our political leaders. The constitution lays down rules that guard the citizens against misuse of power.

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