

12) Consider the following statements

1. The Constitution of India is neither rigid nor flexible.
2. Article 368 provides for amendment of the constitution by three ways: by a special majority of the Parliament, by a special majority of the Parliament and with the ratification by half of the total states and by simple majority of the Parliament.
3. Division of powers, written Constitution, supremacy of Constitution, flexibility of Constitution, independent judiciary and bicameralism are the features of a federation.

Which of the above statements is/are incorrect?

- a) 2 only
- b) 1, 2
- c) 2, 3
- d) 1, 3

Solution: c)

**The Constitution of India is neither rigid nor flexible but a synthesis of both.**

**Article 368 provides for two types of amendments:**

- (a) Some provisions can be amended by a special majority of the Parliament, i.e., a two-third majority of the members of each House present and voting, and a majority (that is, more than 50 per cent), of the total membership of each House.
- (b) Some other provisions can be amended by a special majority of the Parliament and with the ratification by half of the total states.

At the same time, some provisions of the Constitution can be amended by a simple majority of the Parliament in the manner of ordinary legislative process. Notably, these amendments do not come under Article 368.

The Constitution of India establishes a federal system of government. It contains all the usual features of a federation, viz., two government, division of powers, written Constitution, supremacy of Constitution, rigidity of Constitution, independent judiciary and bicameralism.

**Flexibility of Constitution is a unitary or non-federal feature.**

13) Which one of the following Directive Principles was not originally provided in the Constitution of India?

- a) Organization of village panchayats
- b) Safeguard forests and wild life
- c) Uniform civil code for the citizens
- d) Organization of agriculture and animal husbandry

Solution: b)

The 42nd Amendment Act of 1976 added four new Directive Principles to the original list. They require the State:

- (i) To secure opportunities for healthy development of children (Article 39).
- (ii) To promote equal justice and to provide free legal aid to the poor (Article 39 A).
- (iii) To take steps to secure the participation of workers in the management of industries (Article 43 A).
- (iv) To protect and improve the environment and to **safeguard forests and wild life** (Article 48 A)

14) Consider the following statement regarding Fundamental Rights.

1. Fundamental Rights in our Constitution are more elaborate than those found in the Constitution of any other country in the world, including the USA.
2. Fundamental Rights are named so because they are guaranteed and protected by the Parliament, the supreme law-making body in India.

Which of the above statements is/are correct?

- a) 1 only
- b) 2 only