

CHAPTER - 7

EXTENSION OF DEMOCRACY THROUGH INSTITUTIONS

1. Distinguish between Constitutional and Statutory bodies with examples.

- **Constitutional Bodies:** These are autonomous bodies formed at the time the Constitution was enacted or through a constitutional amendment. Their powers and structures are defined within the Constitution itself. Example: Election Commission of India.
- **Extra-Constitutional Bodies:** These are formed by laws passed by the Parliament or State Legislatures. They are created to address specific issues like human rights or women's welfare. Example: National Human Rights Commission.

2. Explain the structure and appointment of the Election Commission of India.

- The Commission consists of a Chief Election Commissioner and two other Election Commissioners.
- They are appointed by the President of India.
- The Chief Election Commissioner can only be removed from office through a process of impeachment similar to a Supreme Court judge.
- The Commission was established on 25 January 1950 based on Article 324 of the Constitution.

3. List the major functions of the Election Commission of India.

- Preparation and periodic revision of electoral rolls and issuance of voter ID cards.
- Scheduling the election dates and supervising the entire election process.
- Allotment of election symbols and granting recognition to political parties.
- Implementation of the Model Code of Conduct to ensure free and fair elections.

4. Analyze the significance of the Representation of People Act, 1950.

- It provides for the allocation of seats in the House of the People (Lok Sabha) and State Legislative Assemblies.
- It sets the rules for the delimitation (boundary fixing) of constituencies.
- It defines the qualifications required for a person to be registered as a voter.

- It outlines the procedures for the preparation and revision of electoral rolls.

5. Discuss the key provisions of the Representation of People Act, 1951.

- It details the actual conduct of elections and bye-elections in the country.
- It lists the qualifications and disqualifications for membership in Parliament and State Legislatures.
- It provides a legal framework for the registration of political parties.
- It defines corrupt practices and other electoral offenses.

6. Explain the role and functioning of the State Election Commission.

- The State Election Commission is an independent body responsible for elections to local self-government institutions (Panchayats and Municipalities).
- The State Election Commissioner is appointed by the Governor of the state.
- It prepares separate electoral rolls specifically for local body elections.
- Its independence is ensured as the Commissioner can only be removed in the same manner as a High Court judge.

7. Describe the structure of the National Human Rights Commission (NHRC).

- The Chairperson must be a person who has been a Chief Justice of India or a Judge of the Supreme Court.
- The members include one serving or retired Judge of the Supreme Court and one serving or retired Chief Justice of a High Court.
- It also includes members with practical experience or knowledge in the field of human rights.
- The Chairpersons of various other National Commissions (SC, ST, Women, etc.) serve as ex-officio members.

8. What are the major functions of the National Human Rights Commission?

- Conducting inquiries into complaints of human rights violations or negligence by public servants.
- Intervening in any court proceeding involving allegations of human rights violations.
- Visiting jails and other detention centers to study the living conditions of inmates and make recommendations.

- Promoting research and spreading human rights literacy among various sections of society.

9. Explain the importance of the Protection of Human Rights Act, 1993.

- This Act provided for the constitution of the National Human Rights Commission (NHRC) at the center.
- It mandated the establishment of State Human Rights Commissions (SHRC) in various states.
- It enabled the setting up of Human Rights Courts in every district for the speedy trial of offenses.
- It defined human rights as rights relating to life, liberty, equality, and dignity of the individual guaranteed by the Constitution.

10. Discuss the role and functions of the National Commission for Women.

- Investigating and examining all matters relating to the safeguards provided for women under the Constitution.
- Taking up cases of violation of women's rights with appropriate authorities.
- Suggesting legal remedies and new legislation to protect women from discrimination and violence.
- Advising the government on the socio-economic development of women.

11. What is the significance of the National Commission for Backward Classes (NCBC)?

- It was granted constitutional status through the 102nd Amendment Act of the Constitution.
- It examines requests for the inclusion of any class of citizens as a backward class.
- It investigates complaints regarding the deprivation of rights and safeguards of socially and educationally backward classes.
- It participates in and advises on the socio-economic development of backward classes.

12. Explain the functions of the National Commissions for SC and ST.

- To investigate and monitor all matters relating to the safeguards provided for Scheduled Castes and Scheduled Tribes.
- To inquire into specific complaints with respect to the deprivation of rights of these communities.

- To participate in the planning process of socio-economic development for SCs and STs.
- To present annual reports to the President on the working of the constitutional safeguards.

13. How does the National Commission for Minorities safeguard minority rights?

- It evaluates the progress of the development of minorities under the Union and States.
- It monitors the working of the safeguards provided in the Constitution and laws passed by Parliament.
- It makes recommendations for the effective implementation of safeguards for the protection of minority interests.
- It looks into specific complaints regarding the deprivation of rights of the minorities.

14. Explain the use and advantages of Electronic Voting Machines (EVMs).

- EVMs replaced paper ballots to make the voting process faster and more accurate.
- They reduce the chances of invalid votes and human error during counting.
- EVMs are more environmentally friendly as they save large amounts of paper.
- They help in declaring results quickly, often within a few hours of counting.

15. Discuss how VVPAT enhances the transparency of elections.

- VVPAT (Voter Verifiable Paper Audit Trail) allows voters to visually verify that their vote was cast correctly.
- When a vote is cast, a slip showing the candidate's name and symbol is displayed for 7 seconds.
- This paper slip falls into a sealed box and cannot be taken home by the voter.
- In case of any dispute or doubt regarding the electronic count, these paper slips can be manually counted to verify the result.