

# ‘Constitution of India’



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# What is a Constitution?

- ❖ Supreme law of the nation
- ❖ Lays down the basic structure of the political system
- ❖ Establishes the main organs of state-the legislature, the executive and the judiciary, defines their powers and demarcates their responsibilities
- ❖ Guarantees certain rights to citizens
- ❖ Embodies the fundamental values, philosophy and aims and objectives of collective life of a nation

# **PREAMBLE**

**WE THE PEOPLE OF INDIA** having solemnly resolved to constitute India into a **SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC** and to secure to all its citizens

**JUSTICE**, social, economic and political  
**LIBERTY** of thought, expression, belief, faith and worship  
**EQUALITY** of status and of opportunity  
and to promote among them all.  
**FRATERNITY** assuring the dignity of individual and the unity and integrity of the nation.


**IN OUR CONSTITUENT ASSEMBLY** the twenty-sixth day of November, 1949, do, **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION**

# Fundamental Values and Principles of our Constitution as enshrined in the Preamble

- ❖ Socialism
- ❖ Secularism
- ❖ Democracy
- ❖ Republican Character
- ❖ Justice
- ❖ Liberty
- ❖ Equality
- ❖ Fraternity
- ❖ Dignity of the Individual
- ❖ Unity and Integrity of the Nation

# Making of the Constitution

- ❖ The Constitution of India was formulated by the Constituent Assembly consisting of the representatives of people of India
- ❖ The Constitution of India was adopted by the Constituent Assembly on 26<sup>th</sup> November, 1949
- ❖ It came into force on 26<sup>th</sup> January, 1950
- ❖ It is the longest written Constitution of any sovereign country in the world, containing 448 articles in 25 parts, 12 schedules, 5 appendices and 98 amendments (out of 120 Constitution Amendment Bills)
- ❖ *Dr. Bhimrao Ramji Ambedkar* is widely regarded as the architect of the Indian Constitution

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- ❖ The process of the evolution of the Constitution began many decades before 26 January 1950
  - ❖ Constitution was a product of our freedom struggle against the British rule
  - ❖ Our freedom struggle was a struggle for democracy and justice, for the citizens' rights and equality
  - ❖ As the demand for representation grew British government was forced to introduce a number of constitutional reforms

# Demand for a Constituent Assembly

- ❖ The demand for a constitution for India being framed by its own people without outside interference was first made by the Indian National Congress in 1934
- ❖ The Constituent Assembly was finally setup under the Cabinet Mission Plan of 1946





The Constituent Assembly consisted of 385 members, of which 292 were elected by the elected members of the Provincial Legislative Assemblies while 93 members were nominated by the Princely States. To these were to be added a representative each from the four Chief Commissioners Provinces of Delhi, Ajmer- Marwar, Coorg and British Baluchistan.



**First day (December 9, 1946) of the Constituent Assembly.** From right: B. G. Kher and Sardar Vallabhai Patel; K. M. Munshi is seated behind Patel.



**The Constituent Assembly** of India was elected to write the Constitution of India. Following India's independence from Great Britain, its members served as the nation's first Parliament.

This body was **formed in 1946** for the purpose of making independent India's constitution. The assembly passed a resolution in 1947 January defining **the objectives of the constitution**:-

- 1) To set up a Union of India comprising British India and the princely states.
- 2) To set up a federal form of government with separate state and central governments.
- 3) To set up a democracy in which all power is derived from the people:
  - I) where all people are guaranteed justice, equality and freedom;
  - II) where minorities, depressed classes and the tribal's rights are protected;
- 4) To protect the integrity of India and her sovereign rights over land, sea and air.
- 5) To help India attain its rightful place in the world - and work for peace and welfare of all mankind.


Dr. Sachchidananda Sinha was the first president (temporary) of the Constituent Assembly when it met on December 9, 1946. Later, Dr. Rajendra Prasad became the President of the Constituent Assembly and Dr. Bhimrao Ambedkar became the Chairman of its drafting committee on December 11, 1946 .



First president (temporary) Dr. Sachchidananda Sinha (Left) on December 9, 1946. Dr. Rajendra Prasad (Middle) the President of the Constituent Assembly and Dr. Bhimrao Ambedkar (Right) the Chairman of its drafting committee as on December 11, 1946

# Working of the Constituent Assembly

- ❖ The members of the Constituent Assembly met for the first time on 9 December, 1946
- ❖ Various committees were formed which included a Committee on Fundamental Rights, the Union Powers Committee and Union Constitution Committee
- ❖ On 29 August 1947, the Drafting Committee was appointed, with Dr. B. R. Ambedkar as the Chairman along with six other members
- ❖ A Draft Constitution was prepared by the committee and submitted to the Assembly on 4 November 1947. Draft constitution was debated and over 2000 amendments were moved over a period of two years

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- ❖ Finally on 26 Nov, 1949 the process was completed and Constituent assembly adopted the constitution
  - ❖ The Assembly met in sessions open to the public, for 166 days, spread over a period of 2 years, 11 months and 18 days before adopting the Constitution
  - ❖ The constitution of India came into force on 26th January, 1950 and from that day India became the Republic of India

# Constituent Assembly





# Constituent Assembly



Lord Mountbatten, Viceroy of India, reading India and Pakistan's declarations of independence over the radio in New Delhi

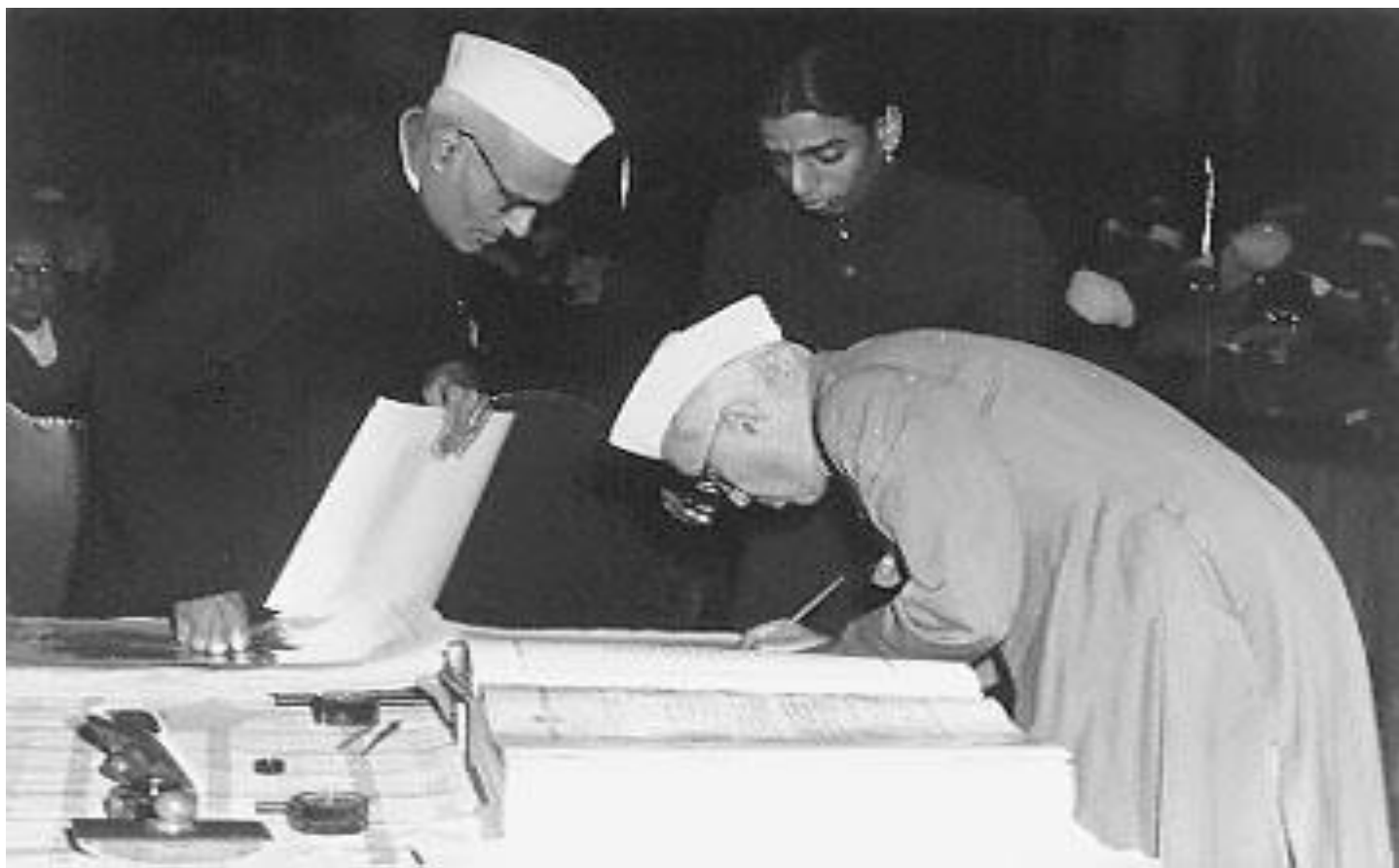




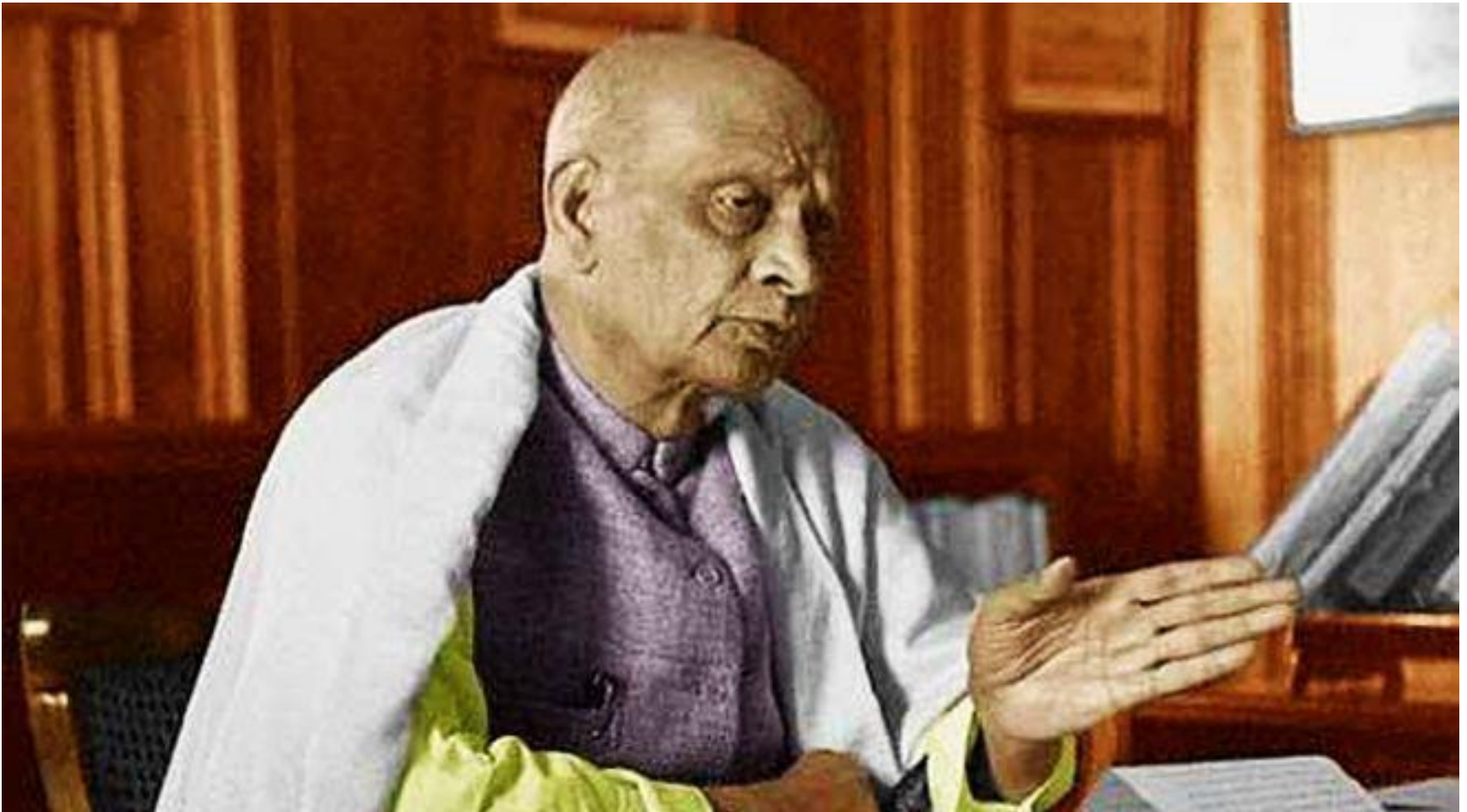
## Dr. Rajendra Prasad, First President of India



# Pt Jawaharlal Nehru signing the Constitution

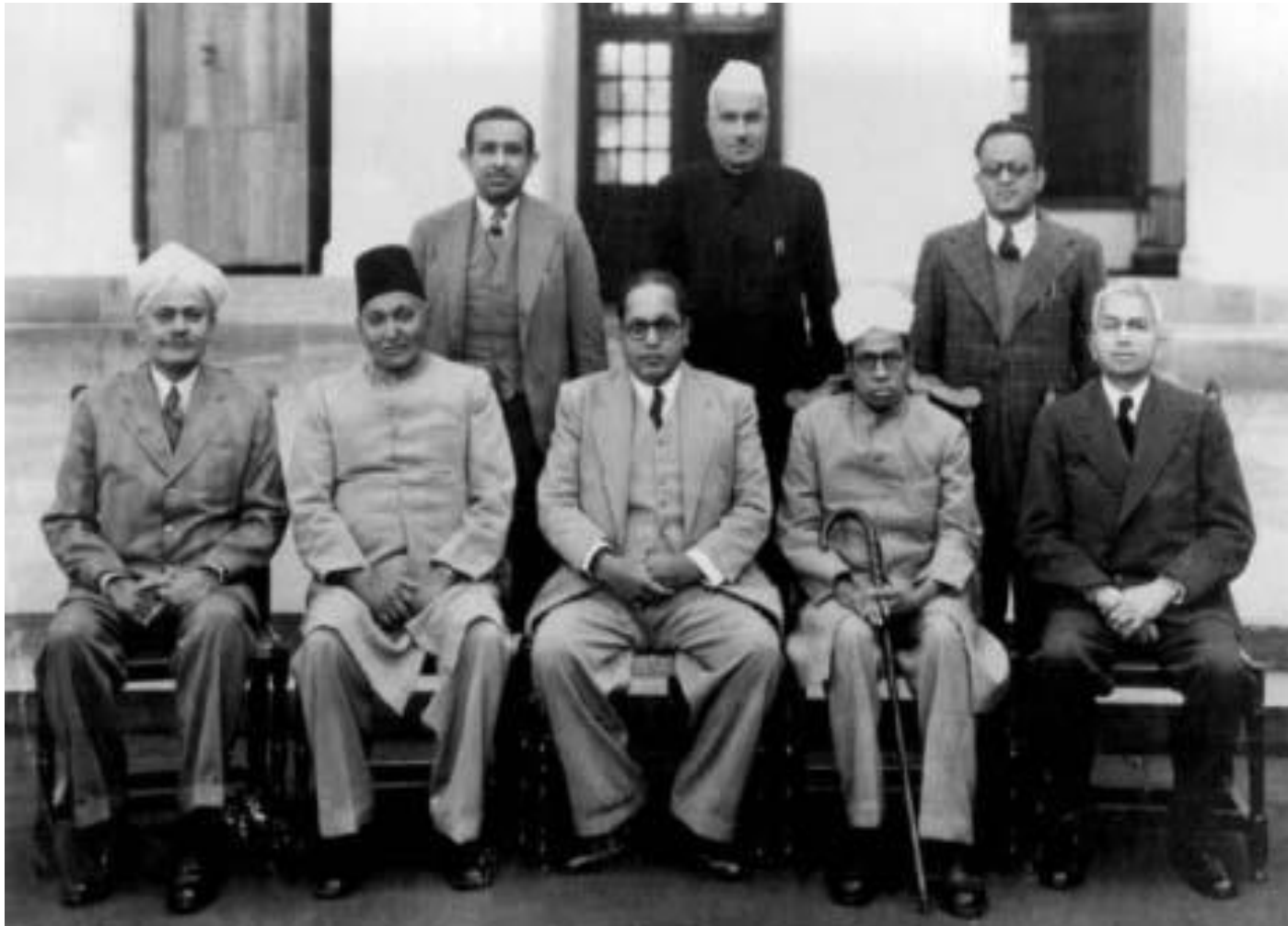


# Sardar Vallabhbhai Patel, First Home Minister and member of Constituent Assembly



# Drafting Committee for the Constitution of India.

## Dr. B. R. Ambedkar in the center





# Father of the Indian Constitution

A Drafting Committee was elected by the Constituent Assembly on 29<sup>th</sup> August 1947. It elected Dr. B.R. Ambedkar to be its President. The Constitution as prepared by the Drafting Committee was circulated on 21 February 1948. This formed the basis of discussion in and outside the Constituent Assembly. The Drafting Committee had 7 members apart from the chairman which are:

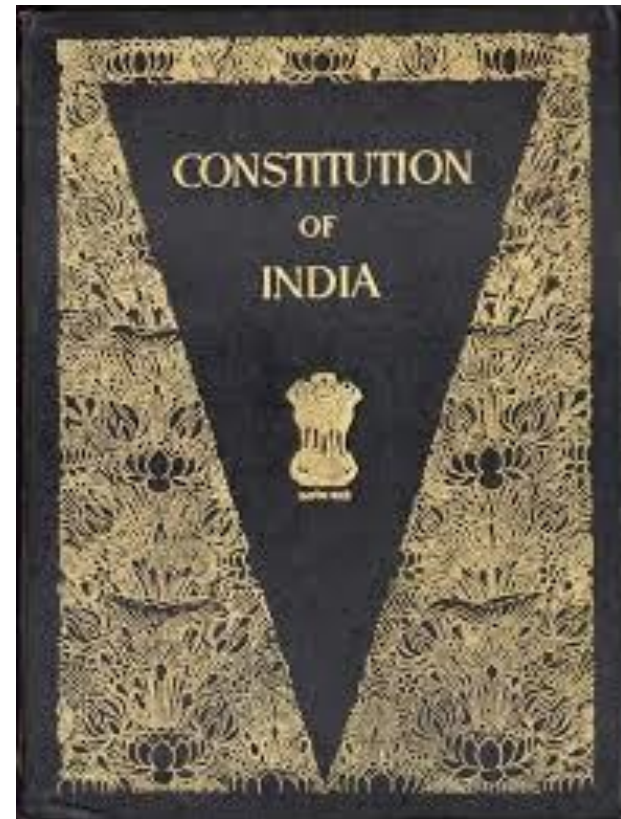
## **Dr. B.R. Ambedkar (Chairman)**

1. Alladi Krishnaswamy Aiyar
2. D. P. Khaitan
3. N. Madhav Rao
4. K.M. Munshi
5. N. Gopalaswamy Ayyangar
6. T.T Krishnamachari ( Congress)
7. Saiyid Mohammad Saadullah ( Muslim League)



# Salient Features of Indian Constitution

- ❖ Longest written Constitution
  - Constitution consists of 448 articles , 12 Schedules, over 100 Amendments and 5 Appendices
- ❖ An enacted Constitution
  - drawn up and adopted by the Constituent Assembly after deliberations for a period of 2 years, 11 months and 18 days on 26 November, 1949. Came into force on 26 January,1950
- ❖ Combination of rigidity and flexibility
- ❖ Universal Adult Franchise



# Salient Features of Indian Constitution (cont..)

## ❖ Federal System with Unitary Bias

- division of power between the Union Government and the State Governments, but the Union Government is more powerful

## ❖ Parliamentary Democracy

- President is the nominal Head of the State, Council of Minister headed by the Prime Minister is the real executive and is collectively responsible before the Lok Sabha (lower House of Parliament)

## ❖ Secular State

- no State religion, freedom of religion and conscience to every individual and religious tolerance



# Salient Features of Indian Constitution (cont..)

## ❖ Justiciable Fundamental Rights

- Part III (Articles 12-35) of the Constitution confers on the people six categories of rights –Right to Equality, Right to Liberty, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, Right to Constitutional Remedies

## ❖ Directive Principles of State Policy

- Part IV (Articles 36-51) of the Constitution enumerates certain principles which aims at establishing a welfare state ,though they are not enforceable through a court of law are regarded as fundamental in the governance of the country

## ❖ Single Citizenship

# Salient Features of Indian Constitution (cont...)

## ❖ Independent Judiciary

- Independence of judiciary has been ensured by the inclusion of the service conditions of the judges, their tenures, pay allowances, the method of their appointment and removal

## ❖ Judicial Review

- The Supreme Court and the High Courts are empowered to declare any law passed by the Parliament or the State Legislatures and any act of the Executive null and void if these violate the Constitution

## ❖ Uniformity in Basic Administrative Matters

- Single integrated judiciary, provision for one Comptroller and Auditor General for the Union as well as the States, common All India Services etc. achieve this purpose.

The background features a large, stylized sunburst or starburst pattern in shades of yellow and orange, centered behind a white, angular geometric shape that resembles a stylized 'A' or a folded piece of paper. The overall color palette transitions from warm yellows and oranges on the left to bright greens on the right. Faint, repeating watermarks of the word 'dreamstime' and spiral icons are visible across the image.

Thank you