

Our Constitution

The Constitution is a comprehensive document which contains the set of rules according to which a country is governed. It defines powers and regulations for all the three organs of the government—the executive, the legislature and the judiciary. The Constitution also protects the interests of the citizens by regulating the powers of the government.

The Cabinet Mission Plan

- The Cabinet Mission arrived in India in 1946. It included many proposals which aimed at meeting the demands of the freedom fighters.
- One of the proposals was the setting up of the Constituent Assembly whose members were to be elected by the Provincial Legislative Assemblies. Elections to the Provincial Assembly were held in July 1946. The Constituent Assembly of British India consisted of 385 members.
- The Constitution of India was framed by the Constituent Assembly.

Formation and Composition of the Constituent Assembly

- The Muslim League boycotted the Constituent Assembly because it was demanding the creation of a separate state of Pakistan.
- After the plan for the creation of Pakistan was drawn upon, the members of the Constituent Assembly were limited to 299 members.
- Dr Rajendra Prasad was elected as the permanent chairman of the Constituent Assembly of India.
- Members from various regional zones and from various fields were elected as the members of the Assembly.
- Anglo Indians were represented by Frank Anthony and S. H. Prater. Muslims were represented by Zafar Imam and Mohammad Saadullah. Sikhs were represented by Sardar Hukum Singh and Ujjal Singh.

Objectives Resolution

The Objective Resolution proposed by Jawaharlal Nehru highlighted the basic objectives of the Constitution of India. These were

- Independent India will essentially be a republic.
- Social, political and economic democracy would be guaranteed to all the people.
- The Republic would grant fundamental rights to all its citizens.
- The rights of the minorities and backward classes would be safeguarded by the state.

Drafting Committee

- Eight committees were part of the Constituent Assembly. Dr B. R. Ambedkar was appointed as the Chairman of the Drafting Committee which was responsible for drafting the Constitution of India.
- The draft of the Constituent Assembly was discussed clause by clause in the first reading. The draft then underwent the second reading which was completed on 17 October 1949. It then went through the third and final reading which was completed on 26 November 1949.
- Two years, eleven months and 17 days were taken by the Constituent Assembly to prepare the Constitution of India.

The Constitution of India came into force on 26 January 1950. After the Constitution came into force, C. Rajagopalachari became the Governor General of free India. The Constituent Assembly became the Provisional Parliament until the new general elections were held in 1951–52. Our Constitution came into

force on 26 January because it was on this day that the call for 'Poorna Swaraj' or 'complete independence' was given by the leaders in 1929 at the Lahore Session of the Congress.

The Preamble

- The Preamble is an introductory part of the Constitution. It reveals the intention of the framers of the Constitution and the basic features and ideals of the nation.
- India was declared as a Sovereign Democratic Republic. Later, the words, 'secular', 'socialist' and 'integrity' were added to it by the Amendment Act of 1976.
- The Preamble of the Constitution stresses that the real authority lies with the 'People of India' as it starts with the words, 'We the people of India'. It shows that the Constitution derives its authority from the people.
- The words 'Sovereign, Socialist, Secular, Democratic, Republic' reflect the pattern of our political society.

Meaning of the Terms

Secular: India is a secular state. It means that every citizen has the right to practise, propagate and profess his religion. The state neither encourages nor discourages the practice of any religion.

Socialist: India is a socialist state. It means that the state is expected to bring about social and economic equality and to prevent the concentration of wealth in the hands of few.

Sovereign: India is a sovereign country. She is free from any external or internal pressure.

Democratic: India is a democratic country. People vote and elect their own representatives.

Republic: The word republic means that the head of the country is elected and his/her position is not hereditary.

Ideals

The ideals reflected in the Constitution of India are the following:

Justice—social, economic and political

Social Justice: It says that justice is provided to the people irrespective of their race, caste, religion or caste.

Economic Justice: It means that the state has to provide adequate means of livelihood to all its citizens. The Government ensures economic justice by ensuring minimum wages, equal work and no pay difference between men and women for the same work.

Political Justice: Political justice means that the people have the right to express their views and opinions freely without the fear of persecution.

Liberty of thought, expression, belief, faith and worship: This is inspired by the American and French Revolutions. People in India have the right to live a dignified life. They have the freedom of speech and expression. They also have the freedom to practise their religion or faith.

Fraternity: Fraternity means that the people of the country are bound by the spirit of brotherhood and unity. Because India is a multilingual, multicultural, pluralistic society, the unity and integrity of the nation can be preserved if the spirit of brotherhood exists among the people.

Significance of the Preamble

The importance of the Preamble of the Constitution is

- The Preamble represents the essence, philosophy and ideals of the Constitution of the country.
- Any disputes or ambiguities present in the Constitution should be resolved after reading the Constitution.
- The Preamble contains five basic principles of the Constitution as it declares India to be a Sovereign, Secular, Socialist, Democratic Republic.

The Preamble thus is an important part of the Constitution.