

POLITICAL CONCEPTS &  
CONSTITUTION OF INDIA (PCCI)

TOPIC: THE CONSTITUTION OF INDIA-  
A BRIEF STUDY

DR.RADHA VARADA

## OBJECTIVE

- Recognize the significance of the Constitution as the fundamental law of the land
- Describe the Preamble to the Constitution and its relevance
- Identify the basic principles of Preamble and their reflection in the constitutional provisions
- Identify the main features of the Constitution of India
- Analyze the nature of the Indian Constitution.



सत्यमेव जयते

## **CONSTITUTION OF INDIA**

**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, economics 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 the individual and  
the unit and integrity of the Nation

**IN OUR CONSTITUENT ASSEMBLY**

this twenty-sixth day of November, 1949, do

**HEREBY ADOPT, ENACT AND GIVE TO  
OURSELVES THIS CONSTITUTION**

# QUIZ

1. Who among the following said that the Preamble of the Indian Constitution is the “The Keynote of the Constitution”.

A. Earnest Barker.

B. Jawahar Lal Nehru.

C. Dr. B. R. Ambedkar.

D . Nelson Mandela

2. The language of the Preamble of the Indian Constitution is taken from the Constitution of....

- A. America
- B. Canada
- C. Australia
- D. Ireland

3. Which of the following words has not been written in the Preamble of the Indian Constitution

- A. Sovereign
- B. Socialist
- C. Democratic
- D. Indians

4. Which of the following statement is not true-

A. The date of implementation of the Indian Constitution is Nov. 26, 1949.

B. The word Secular was added by the 42 Amendment Act.

C. The 42<sup>nd</sup> Amendment Act was done n 1976.

D. Social, Economic and Political Justice is taken from the Russian Revolution in the Indian Constitution.

5. Which case is not correct in the case of Sovereign India

A. India is not dependent on any other country.

B. India is not the colony of any other country.

C. India can give any part of the country to any other country.

D. India is obliged to obey the UN in internal affairs



6. Who called the Preamble as the Political Horoscope of Indian Constitution.

A. B.R Ambedkar

B. Jawahar Lal Nehru

C. K. M. Munshi

D. Lala Lajpat Rai

7. Which year is related to Berubari Case?

A 1972

B. 1976

C 1970

D 1960

8. What is the meaning of Secular?

A. All religions are equal before the law.

B. Special importance to a religion related to the minorities.

C. One religion is promoted by the Government.

D. None

9. What is the meaning of Social Equality in the Indian Constitution.

A Lack of opportunities

B Lack of Equality

C Equal opportunities for all sections of societies

D None

10. Which of the following statements is true-

A. The Berubari Case of the Supreme Court held that the Preamble is not part of the Constitution.

B. The Keshav Nanda Bharathi Case, the Supreme Court held that the Preamble is part of the Constitution.

C. Preamble of the Indian Constitution is taken from the Constitution of Canada.

D. None

11. Till now ,the Preamble of the Constitution of India has been amended-----

- A. Never
- B. Once
- C. Twice
- D. Thrice

12. The Constitution of India derives its ultimate authority from-----

- A. Supreme Court of India
- B. Parliament of India
- C. People of India
- D. Constituent Assembly of India

13. Which of the following parts /provisions of the constitution cannot be amended-----

- A. Preamble of the Indian Constitution
- B. Directive Principles of State Policy
- C. Fundamental Rights
- D. Judicial Review



14. Who is popularly known as Deshbandhu----

A. S. Radhakrishnan

B. G. K. Gokhale

C. Chittranjan Das

D. Madan Mohan Malviya

15. How many languages listed in the Eighth Schedule of the Constitution has been given the status of Classical Language-----

- A. Ten
- B. Eight
- C. Six
- D. None

## INTRODUCTION

- The Constitution of India is very dynamic creation of our lawmakers.
- Indian constitution, one of the utmost admired constitutions in the world was enacted after ‘ransacking’ all the known constitutions of the world at that time.
- The Constitution of India is one of the finest-crafted Constitutions in the World. This Constitution is made by the Constituent Assembly under the Cabinet Mission plan.
- It took 2 years, 11 months and 18 days to complete our Constitution.
- This Constitution was enforced from 26 January 1950

## LENGTHIEST WRITTEN CONSTITUTION IN THE WORLD

- The Constitution of India is the lengthiest written Constitution in the World.
- It is because not only the essential rights are given under it but detailed administrative instructions are also given under it.
- Originally, it had 395 Articles divided into 22 Parts and 8 Schedules.
- At present it has 470 Articles, 25 Parts and 12 Schedules
- Since 1951 about 90 Articles and more than 106 Amendments have been added.
- However, since the Articles are not added separately as part of an existing Article (e.g. Article 21A, 35A etc.) the total number of Articles remains the same at 395.

## FRAMED FROM DIFFERENT SOURCES.

- The basic structure of the constitution is taken from the Government of India Act 1935.
- The Article of Fundamental rights is taken from the American Constitution.
- Directive Principles are taken from the Irish Constitution.
- Cabinet form of Government is sourced from British Constitution. Apart from these, there are many provisions added to the constitution of Canada, Germany, France, and the USSR.
- The Indian Constitution is considered unique because it is sourced from major constitutions in the world and consolidated as one with some modifications to suit Indian needs and requirements.

# FEDERAL SYSTEM WITH UNITARY FEATURES

- The Indian constitution comprises of federal features like two government systems - Central and State governments, powers are divided between 3 organs - Legislative, executive, and judiciary, etc.
- Besides this, the Indian Constitution is also unique as it organizes All India services.
- If we read Article 1 of the Indian Constitution, it is clearly mentioned that India is a "Union of states" and is not a federation of states.
- Also from Article 3 of the Indian Constitution, it is clear that Parliament is the only authority that can make separate states.

## INDEPENDENT AS WELL AS INTEGRATED JUDICIAL SYSTEM

- In India, there is a single integrated system of judiciary where the Supreme Court is the supreme authority to make decisions.
- The other salient features of the Indian Judiciary are -
  - In India judges of the Supreme Court and High Court are appointed through the collegium system.
  - If there is a need to remove any judge, the procedure of impeachment has to be followed.
  - Salaries and pensions of Supreme Court judges are paid from the Consolidated Fund of India.
  - After retirement Supreme Court judges are banned from practice.

## DIRECTIVE PRINCIPLES OF STATE POLICY

- Part IV of the Indian Constitution deals with the Directive Principles of State Policy.
- It is the duty of every State to apply these principles while making any new legislation.
- The Directive Principles of State Policy is similar to the ‘Instrument of Instructions’ that is in the Government of India Act 1935.
- They are basic instructions to the legislature and executive that have to be followed while framing new legislation by the State.



# PARLIAMENTARY FORM OF GOVERNMENT

- Executive forms a part of the legislative system.
- A democracy where the political party with majority seat rules.
- Cabinet form of government
- Prime Minister at the Centre and Chief Minister at the state level are the heads of the government at respective levels.
- Council of ministers are collectively responsible to the lower house.
- The Lower House is subject to Dissolution.

## FLEXIBLE AS WELL AS RIGID

- The Indian constitution is best known in the entire world for keeping the perfect balance between rigidity and flexibility.
- The Indian constitution provides the amendment provision in its article 368. Article 368 states that -
- Some amendments can be made only by securing a special majority of both the houses of parliament.
- By special majority, it means 2/3rd majority of the total members of each house.
- There are some more provisions that can be amended with the special majority of members of parliament along with the ratification of at least 50% of the total states.

# FUNDAMENTAL RIGHTS

- The Indian Constitution guarantees 6 Fundamental Rights:
  - Right to Equality (Article 14-18)
  - Right to Freedom (Article 19-22)
  - Right against Exploitation (Article 23-24)
  - Right to Freedom of Religion (Article 25-28)
  - Cultural and Educational Rights (Article 29-30)
  - Right to Constitutional Remedies (Article 32)

## FUNDAMENTAL DUTIES

- The Swarna Singh Committee of 1976 added a list of 10 Fundamental Duties in the constitution by adding a new Part-IVA and Article-51A in the constitution is inspired by the Constitution of Russia.
- The 11th fundamental duty which was added to this list is:  
To provide opportunities for education to children between 6-14 years of age, and duty as parents to ensure that such opportunities are being provided to their child.
- The 11 fundamental duties look at the crisis in Indian society and become a tool for straightening it out.
- They serve as a source of protection for the liberty of the people.

# SECULARISM

- The Constitution of India stands for a secular state, i.e. it gives equal importance to all religions.
- It also does not uphold any particular religion as the official state religion.
- The Western concept of secularism connotes a complete separation between religion and the State.
- This concept is inapplicable in the Indian situation where the society is multireligious.
- Hence, the Indian Constitution embodies the positive concept of secularism, i.e. giving equal respect to all religions and protecting all religions equally.

## UNIVERSAL ADULT FRANCHISE

- The concept of Universal Adult Franchise/Adult suffrage allows every citizen of India who is above eighteen years the right to vote in democratic elections.
- Any adult who is eligible to vote should not be discriminated against on the basis of gender, caste and religion.
- This provision was added in the 61st amendment which is also known as the Constitution Act, 1988, which changed the voting age from 21 to 18.
- Article 32 of the Indian Constitution guarantees this right.

# BASIC STRUCTURE DOCTRINE

- The basic structure doctrine is an Indian judicial norm that the Constitution of India has certain basic features that cannot be changed or destroyed through amendments by the parliament.
- The basic features of the Constitution have not been openly defined by the Judiciary.
- At least, 20 features have been described as “basic” or “essential” by the Courts in numerous cases, and have been incorporated in the basic structure.
- In *Indira Gandhi v. Raj Narayan* case and also in the *Minerva Mills* case, it was witnessed that the claim of any particular feature of the Constitution to be a “basic” feature would be determined by the Court in each case that comes before it.

# CONCLUSION

- The Indian Constitution has many unique features which makes it special.
- The lawmakers have taken all the factors into consideration and have tried to accommodate all the differences in our Country.
- The Constitution and various rights provided in the Constitution acts as a guardian to our citizens.

THANK YOU