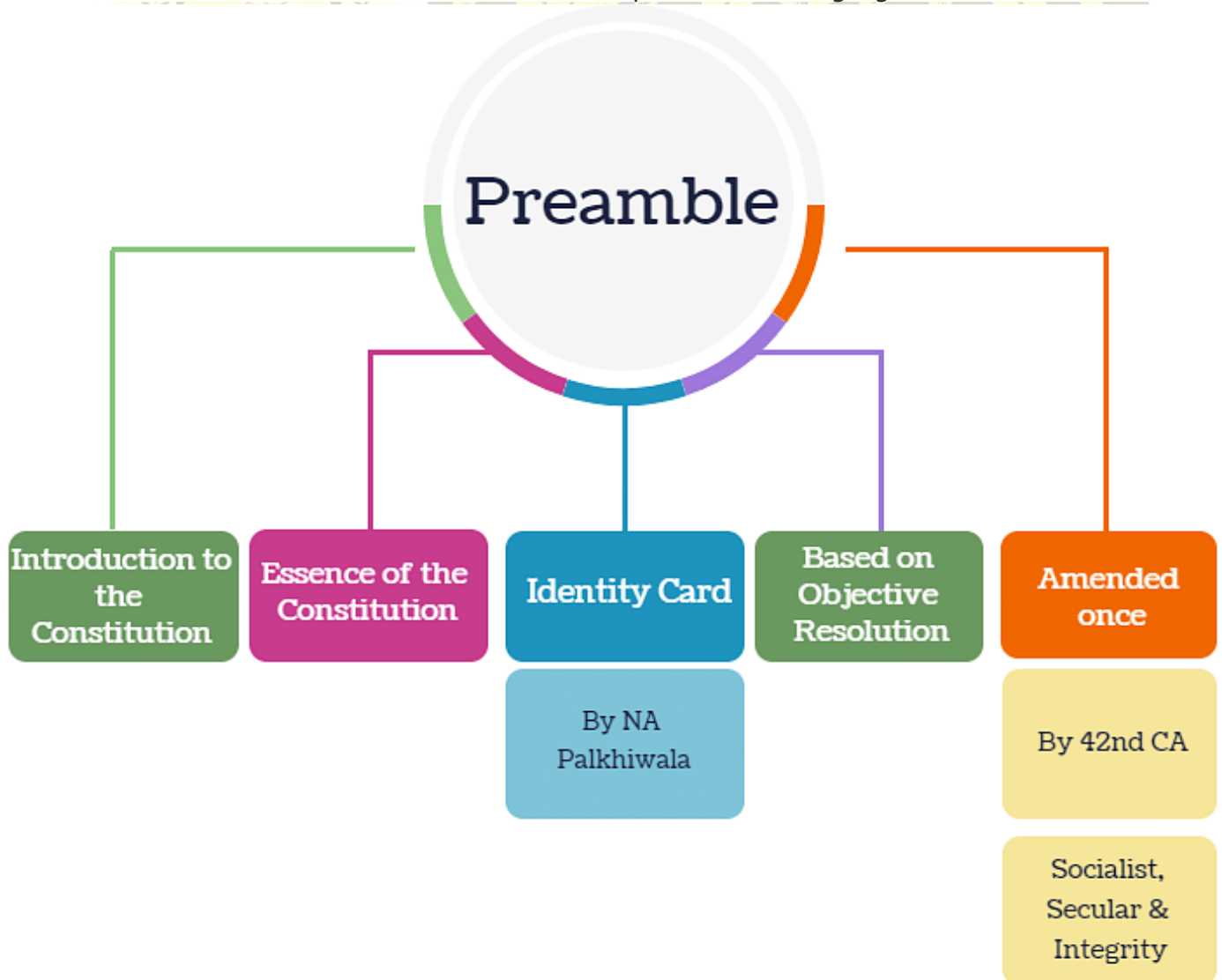


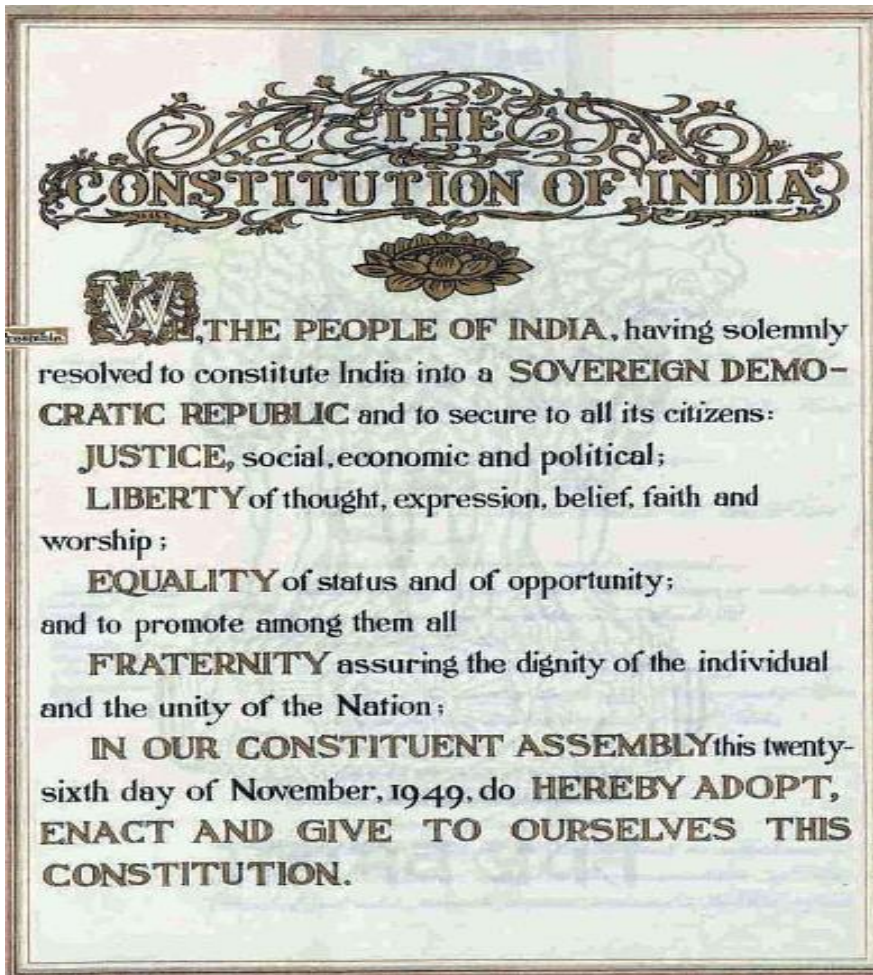
Introduction

The Constitution of India is the longest written constitution in the world. It is the bedrock to all of the Indian polity. The Preamble is a brief introductory statement to the Constitution of India. It constitutes the philosophy embodying the ideals and aspirations to which the national movement committed. The Preamble can be referred to as the preface which highlights the entire Constitution.



Original Text of 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 the individual and the unity and integrity [3] of the Nation; In Our Constituent Assembly This 26th Day of November 1949, Do Hereby Adopt, Enact and Give to Ourselves This Constitution.



Try yourself: The following are enshrined in the Preamble of the Constitution of India:

- (1) Equality of status and opportunity
- (2) Liberty of thought, expression, belief, faith and worship
- (3) Justice- social, economic and political
- (4) Fraternity assuring the dignity of the individual
- (5) Unity and integrity of the nation.

What is the correct order in which these appear in the Preamble?

- a. 5, 1, 3, 2, 4
- b. 3, 1, 2, 4, 5
- c. 3, 2, 1, 4, 5
- d. 1, 3, 2, 4, 5

THE 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, 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 the individual and the ²[unity 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.**

1. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Sovereign Democratic Republic" (w.e.f. 3.1.1977)
2. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Unity of the Nation" (w.e.f. 3.1.1977)

History of India's Preamble

- **Origin:** The Preamble originated from the Objective Resolution presented by Jawaharlal Nehru on December 13, 1946, and adopted by the Constituent Assembly on January 22, 1947. This resolution outlined the vision for an independent, sovereign India with autonomous units and guaranteed justice, equality, and freedom for all its people.
- **Design:** The Preamble was beautifully designed by Beohar Rammanohar Sinha, a renowned artist from Jabalpur.
- **Adoption:** The date of adoption of the Indian Constitution, November 26, 1949, is specifically mentioned in the Preamble.
- **Implementation:** Article 394 of the Constitution lists the articles that came into effect on November 26, 1949, marking the official implementation of the Constitution.
- **Handwritten Copies:** The original copies of the Constitution were meticulously handwritten by Prem Behari Narain Raizada.

Key Points:

- The Preamble is a declaration of India's ideals and aspirations.
- It highlights the core values of justice, liberty, equality, and fraternity.

- The Preamble reflects the aspirations of the people of India as expressed through the Constituent Assembly.
- It serves as a guiding principle for the interpretation and implementation of the Constitution.



Beohar Rammanohar Sinha



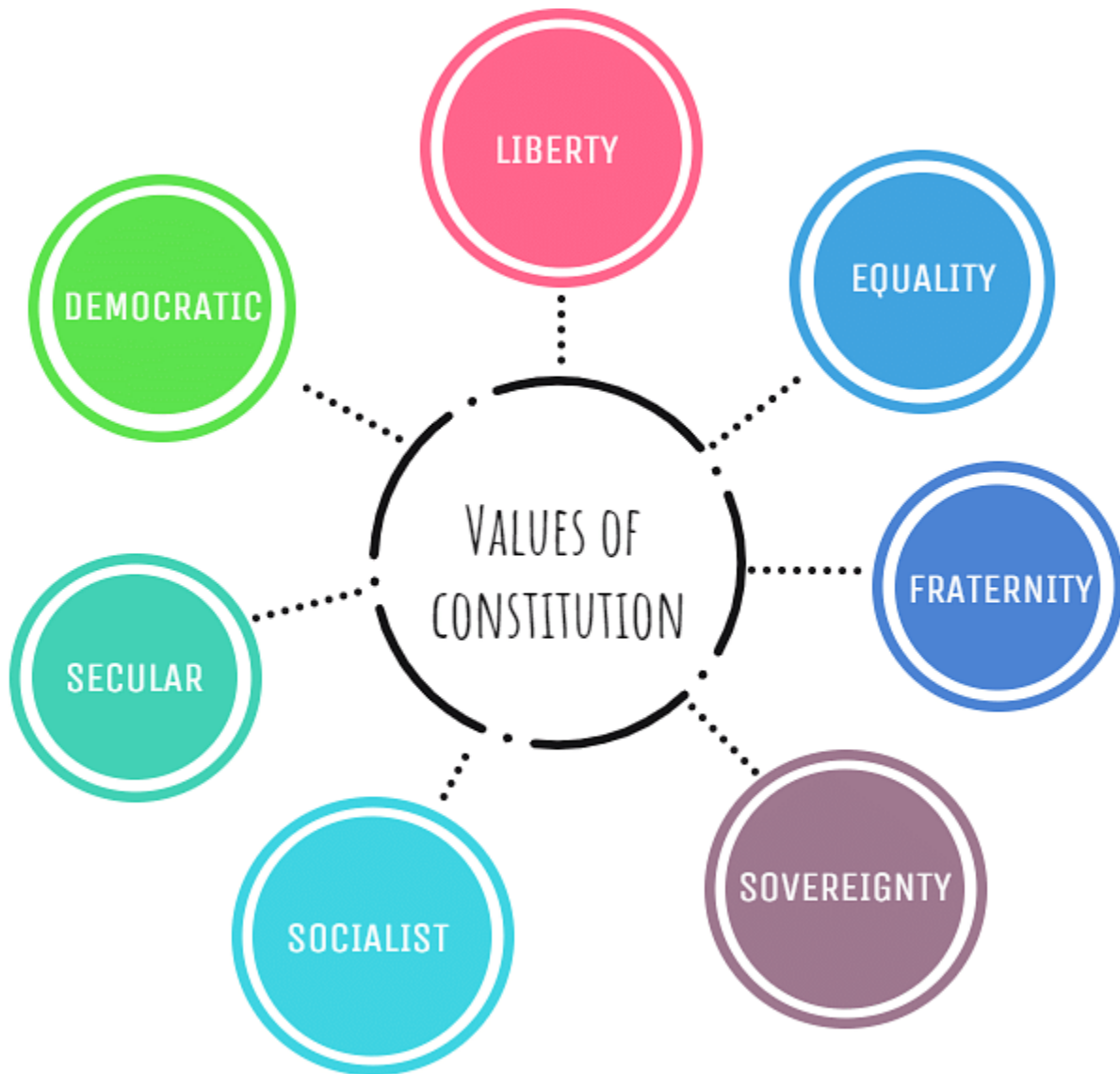
Prem Bihari Narain Raizada

Preamble of the Indian Constitution: Key Values & Interpretations

5 Basic Characteristics of the Union of India:

1. **Sovereign:** India is an independent authority with the power to legislate on any subject, not subject to control by any other state.
2. **Republic:** The head of state, the President, is elected by the people, and all offices are open to all citizens.
3. **Democratic:** India has an established constitution that derives its authority from the will of the people expressed in elections. It encompasses political, social, and economic democracy.
4. **Socialist:** This term aims to establish a society free from all forms of exploitation (social, political, and economic).
5. **Secular:** The state has no official religion, and all persons are equally entitled to freedom of conscience and the right to practice their religion.

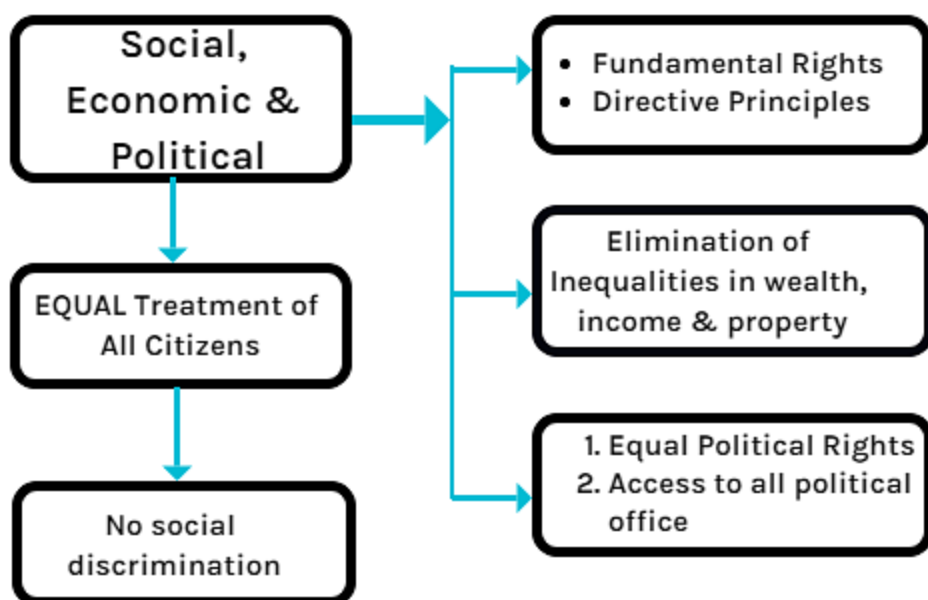
Key Values Enshrined in the Constitution:



1. Justice:

- **Social:** Aims to abolish artificial social barriers like caste and untouchability.
- **Economic:** Strives for equality in economic status and equitable distribution of resources.
- **Political:** Ensures fair and free participation of people in the political process, including free and fair elections.

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2. Liberty:

- Freedom of thought, expression, belief, faith, and worship, within constitutional limits.

3. Equality:

- **Of Status:** Prohibits discrimination based on religion, race, sex, etc., and abolishes untouchability and titles.
- **Of Opportunity:** Guarantees equality before the law and non-discrimination in public employment.
- **Political:** Provides universal adult franchise, ensuring equal voting rights.

4. Fraternity:

- Promotes a feeling of brotherhood and belonging among citizens.
- Encompasses both psychological and territorial dimensions of national integration.

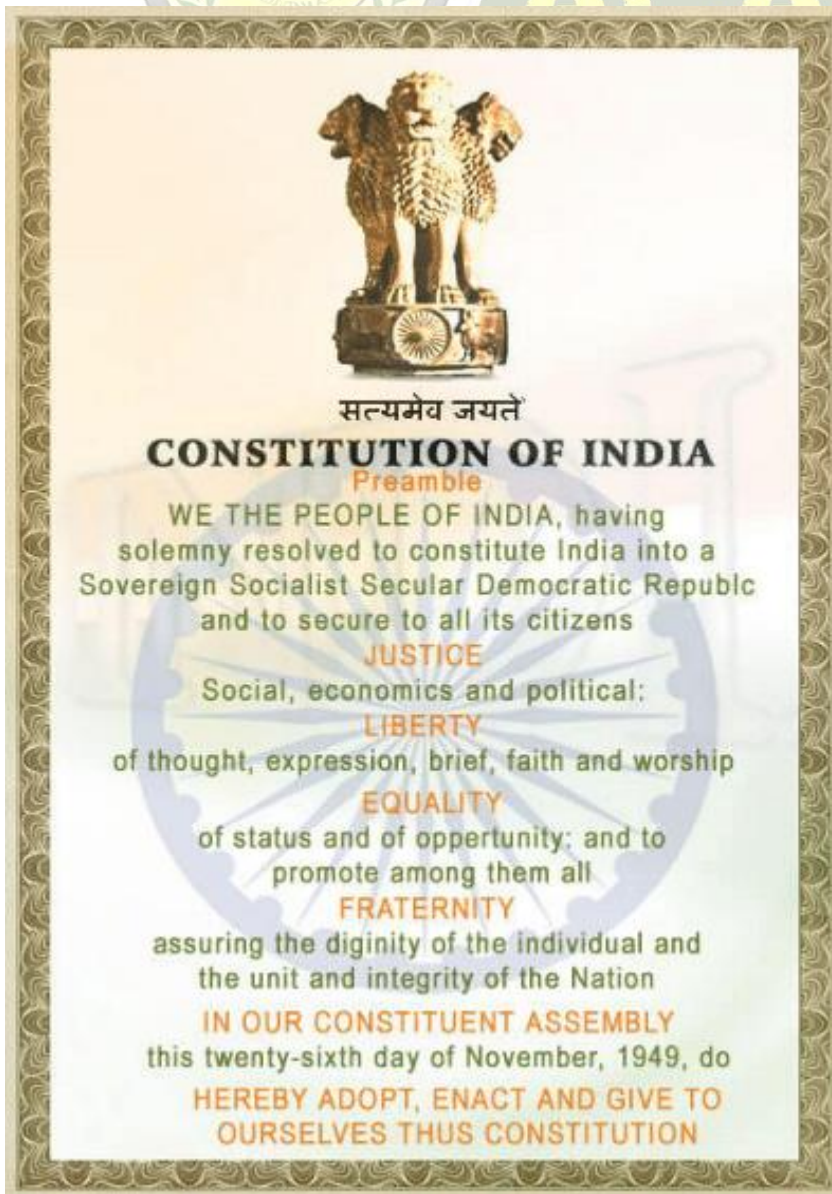
Important Points:

- The Preamble is not enforceable in a court of law but serves as a guiding principle for interpreting the Constitution.
- The 42nd Amendment Act of 1976 added the terms 'Socialist' and 'Secular' to the Preamble.
- The terms 'Socialist' and 'Secular' remain undefined in the Constitution, despite attempts to provide definitions through the 45th Amendment Act.
- The Preamble emphasizes the importance of achieving justice, liberty, and equality for all citizens while promoting fraternity and national unity.

Scope and Significance of the Preamble of the Indian Constitution

- **Source of Authority:** The Preamble establishes that the people of India are the ultimate source of authority for the Constitution.

- **Objectives:** Outlines the core objectives of the Constitution, including justice, liberty, equality, and fraternity.
- **Aid to Interpretation:** Helps in interpreting the Constitution when language is ambiguous.
- **Describes the Government:** Defines India as a Sovereign, Secular, Democratic Republic.
- **Date of Adoption:** Specifies the date the Constitution was adopted and enacted.



Limitations of the Preamble

- **Non-enforceable:** Cannot be enforced in a court of law.
- **No Power to Restrict:** Does not limit the powers of the executive, legislature, or judiciary.
- **Not Part of the Constitution (Initially):** Initially considered not a part of the Constitution in the *Berubari Union Case* (1960).

Amendability of the Preamble

- **Kesavananda Bharati Case (1973):** Supreme Court ruled that the Preamble is part of the Constitution and can be amended under Article 368, but its basic features cannot be altered.



- **S.R. Bommai Case (1994):**
 - The Preamble indicates the basic structure of the Constitution.
 - Any proclamation violating the basic features of the Preamble is unconstitutional.
- **LIC Case (1995):** Reaffirmed the position that the Preamble is part of the basic structure.

Key Amendment:

- **42nd Amendment Act (1976):** Added the words "Socialist," "Secular," and "Integrity" to the Preamble. This is the only time the Preamble has been amended.

Practice Questions

Q1. The Preamble of the Constitution read along with the Directive Principles of State Policy promotes the concept of social justice. Analyse. (250 words)

Q2. The Preamble embodies the philosophy of the Constitution and yet it is not enforceable at a Court of law. Explain. (250 words)

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Try yourself:

Consider the following statements

- (1) The word secular appeared nowhere in the Constitution before it was inserted into the Preamble.
- (2) The word secular signifies state will protect religion of majority in state. Which of the following statements are true?

- a. Only 1 b. Only 2 c. Both 1 and 2 d. Neither 1 nor 2

Consider the following statements:

- (1) Preamble has been amended only once through 44th constitutional amendment act 1976.
- (2) Secular, Socialist and liberty were added to the constitution through the 42nd Constitutional amendment act 1976.

Which of the above statements is true?

- a. Only 1 b. Only 2 c. Both 1 and 2 d. Neither 1 nor 2

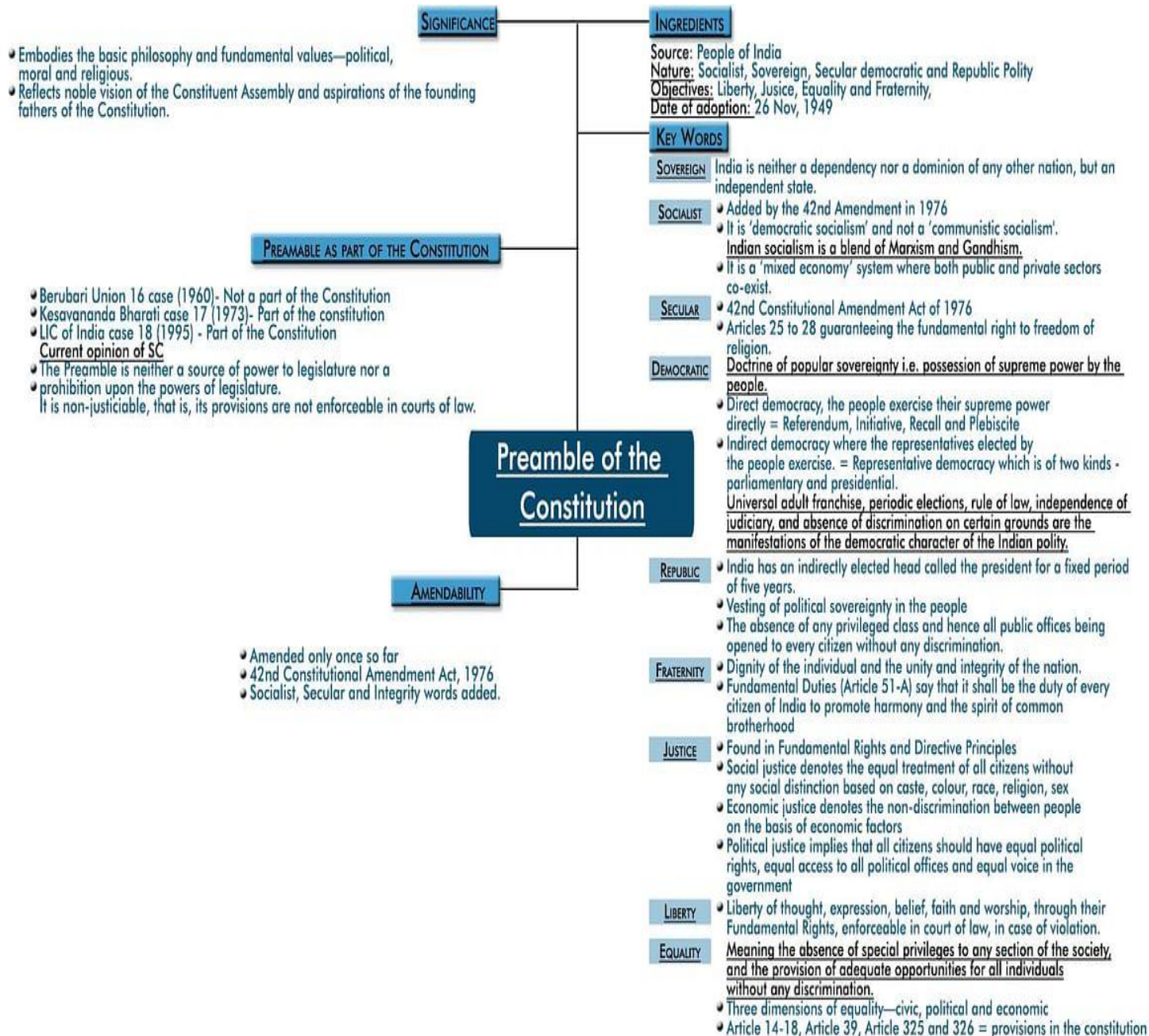


**ABHIGYAN
ACADEMY**



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