

PREAMBLE

CONSTITUTION OF INDIA



WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a **SOVEREIGN 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 of the Nation;

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

The Preamble to the Indian Constitution

The preamble to the Constitution of India is a brief introductory statement that sets out the guiding purpose, principles and philosophy of the constitution. Preamble gives an idea about the following :

- (1) the source of the constitution,
- (2) nature of Indian state
- (3) a statement of its objectives and
- (4) the date of its adoption.



Source of the Constitution

- We, the people of India.
- The phrase “We the people of India” emphasises that the constitution is made by and for the Indian people and not given to them by any outside power.
- It also emphasizes the concept of popular sovereignty as laid down by Rousseau: All the power emanates from the people and the political system will be accountable and responsible to the people.



Nature of Indian state

- **Sovereign**: India is internally and externally sovereign
- **Socialist**: “Socialism” as an economic philosophy where means of production and distribution are owned by the State. Socialism as a social philosophy stresses more on societal equality.
- **Secular**: The state will have no religion of its own and all persons will be equally entitled to the freedom of conscience and the right freely to profess, practice and propagate the religion of their choice.
- **Democratic**: The rulers are elected by the people and are responsible to them.
- **Republic**: A democratic republic is an entity in which the head of state is elected, directly or indirectly, for a fixed tenure.



Objectives of Indian State

- **Justice** : Social, Economic and Political.
- **Equality** : of status and opportunity.
- **Liberty** : of thought, expression, belief, faith and worship
- **Fraternity (Brotherhood)** : assuring the dignity of the individual and the unity and integrity of the nation.



Date of its adoption

- Date of adoption of the Constitution is 26th November, 1949. But ,Constitution came into force on January 26th, 1950.
- 26 January was selected for this purpose because it was this day in 1930 when the Declaration of Indian Independence (Purna Swaraj) was proclaimed by the Indian National Congress.



INFO BITS

- The preamble-page, along with other pages of the original Constitution of India, was designed and decorated solely by renowned painter Beohar Rammanohar Sinha of Jabalpur.
- Supreme Court of India has, in the Kesavananda case, recognised that the preamble may be used to interpret ambiguous areas of the constitution where differing interpretations present themselves. (In the 1995 case of Union Government Vs LIC of India also the Supreme Court has once again held that Preamble is the integral part of the Constitution.
- As originally enacted the preamble described the state as a “sovereign democratic republic”. In 1976 the Forty-second Amendment changed this by adding words socialist and secular to read “sovereign socialist secular democratic republic”.

INSPIRATION

- USA is the first country to adopt preamble to its constitution. It is also the first written constitution.
- During the time of Constituent Assembly Preamble was called as **Objective Resolution** : Objective to Indian Constitution.
- Objective Resolution was drafted by Jawaharlal Nehru and constituent assembly passed it & became Preamble. It was passed in the end when whole constitution was passed.

IS PREAMBLE A PART OF INDIAN CONSTITUTION

- **BERUBARI UNION CASE 1960**

IDENTIFIES SIGNIFICANCE OF PREAMBLE

TAKE HELP OF PREAMBLE WHILE INTERPRETATION

PREAMBLE ISNT A PART OF CONSTITUTION BUT ONLY AN INTRODUCTION: PREFACE

- **KESHVANANDA BHARTI CASE 1973**

- **OVERULLED THE JUDGEMENT- PREAMBLE IS PART OF THE CONSTITUTION NEITHER THE SOURCE OF POWER & NOR IT PUTS THE PROHIBITION ON STATE**

CAN PREAMBLE BE AMMENDED?

- CAN BE AMMENDED
- 42ND AMMENDED 1976- SOCIALIST ,SECULAR AND UNITY & INTEGRITY.
- INTEGRITY? PSYCHO INTEGRITY – FEELING OF ONENESS EMOTIONAL FACTOR..
- CAN BE AMMENDED BUT IT SHOULD NOT CHANGE THE ESSENCE OF CONSTITUTION