



INDIAN CONSTITUTION



सत्यमेव जयते

CONTENTS

Evolution of Indian constitution: Indian independence act 1947, formation of constituent assembly of India, committees of the constituent assembly, constitution of India drafting committee, brief study about Dr. B. R. Ambedkar, time line of formation of the constitution of India.

Structure of the constitution of India: Parts, schedules, appendices, constitution and government, constitution and judiciary.

Preamble to the constitution of India: Brief study about sovereignty, socialist, secularism, democracy, republic, justice (political justice, social justice, economic justice), liberty, equality, fraternity, unity & integrity.

Acts: Right to education act, right to information act, anti-defection law, Jan Lokpal bill.

Fundamental rights: Right to equality, right to freedom (freedom of speech and expression, right to practice any profession etc.), right against exploitation, right to freedom of religion, cultural & education rights, right to property, right to constitutional remedies.

Text Book:

- Dr.Durgadasbasu. Introduction to the constitution of India. 21st edition, Lexis Nexis books publication Ltd, 2013.

• Reference Books:

- 1. Subhash C. Kashyap, Our Constitution, National Book Trust, New Delhi, 2011.
- 2. Arun K Thiruvengadam. The constitution of India. 1st edition, Hart publishing India, 2017.

COURSE OVERVIEW:

This course enables the students to understand the constitution of India as the Supreme law of India. The student will also gain knowledge about the parliament of India and how it functions. This course will survey the basic structure and operative dimensions of the Indian constitution. It will explore various aspects of the Indian political and legal system from a historical perspective highlighting the various events that led to the making of the Indian constitution.

COURSE OBJECTIVE:

This course facilitates graduate students to know about importance of the Indian constitution and facilitates students to know about the fundamental rights of the citizens.

COURSE OUTCOMES (COs)

After the completion of the course, the student will be able to:

Identify the important components of Indian Constitution

Apply the fundamental rights in right way and to be a more responsible citizen

Illustrate the evolution of Indian Constitution

Explain the basic structure of Indian Constitution

Define the basic concepts democracy, liberty, equality, secular and justice



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 1.What Is Constitution Anyway?

 2.Why Do We Need Constitution?

 3.The History of Constitution of India.

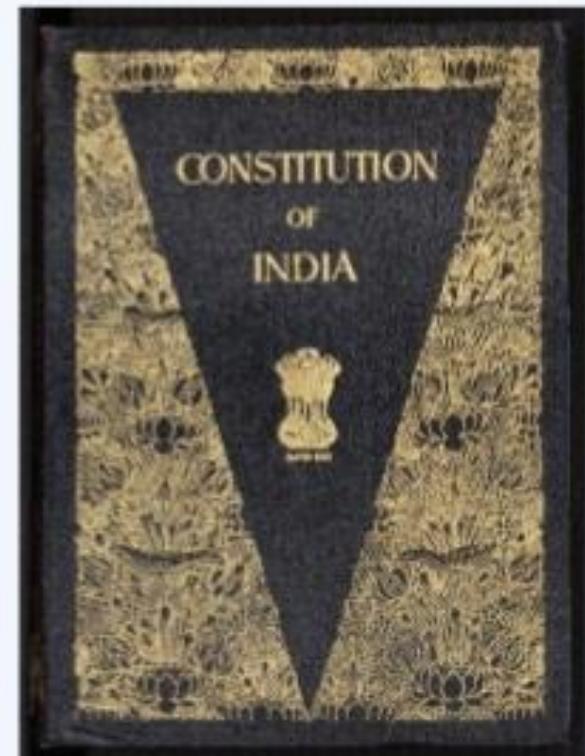
 4.The Framing of Constitution of India.

 5.The Preamble to Constitution of India.

 6.What Is The constitution of India?

 7.Main Characteristics of Constitution of India

 8.Conclusion



The First Book of Constitution Located at Parliament Library Building, New Delhi



1.What Is Constitution Anyway?

Almost everything we do is governed by some **set of rules**. There are rules for games (like- soccer), for social clubs and for adults in the workplace. There are also rules imposed by morality and custom that play an important role in telling us what we should and should not do.

For example- In the game of soccer, a **referee** has "full authority to enforce the **Rules or Law of the Game** on the Players", when a player do something against the Rules referee takes action like send-off a player, as shown in images below.



should



Should not



Red-card



1. What Is Constitution Anyway?

Some rules that are made by the **legislatures** (also known as Lok sabha/Rajya Sabha in India), for their own country, are called "**Law**".

We need **Laws in Society** so our society can regulate and work properly. They are designed to protect us and our property and to ensure that everyone in society behaves the way that the community expects them too.

Laws tell us what to expect as a **consequence** of our actions. Laws have been the glue that has kept society together. Without laws there would be complete **anarchy**.





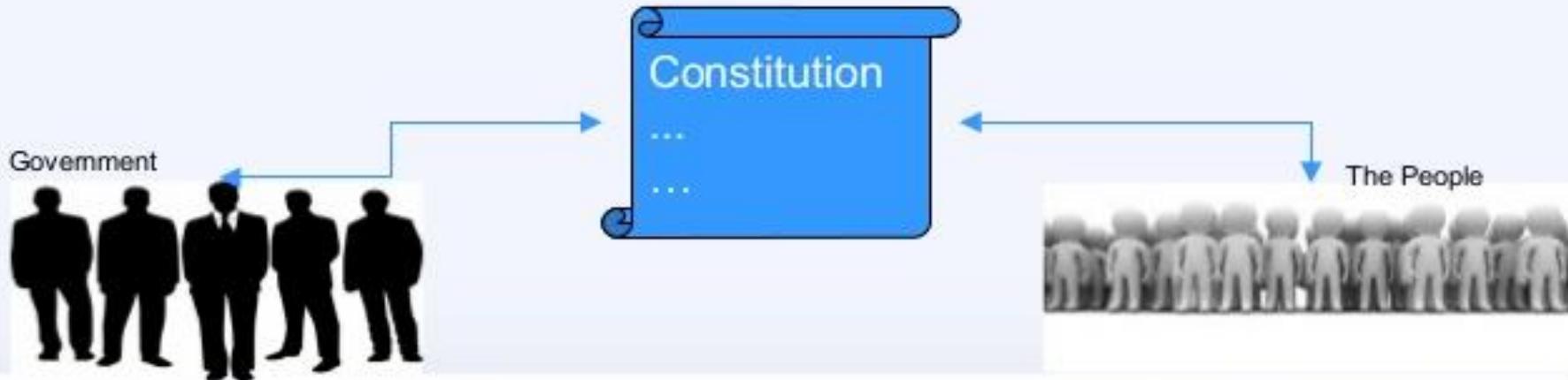
1.What Is Constitution Anyway?

I) In General-

The Constitution is the supreme law of the land. All other laws have to conform to the Constitution. The constitution contains laws concerning the government and its relations with the people.

A constitution is concerned with 2 main aspects:-

- a) The relation between the different levels of government and
- b) Between the government and the citizens.





1.What Is Constitution Anyway?

Role of Constitution in relationship between Government and its people:-

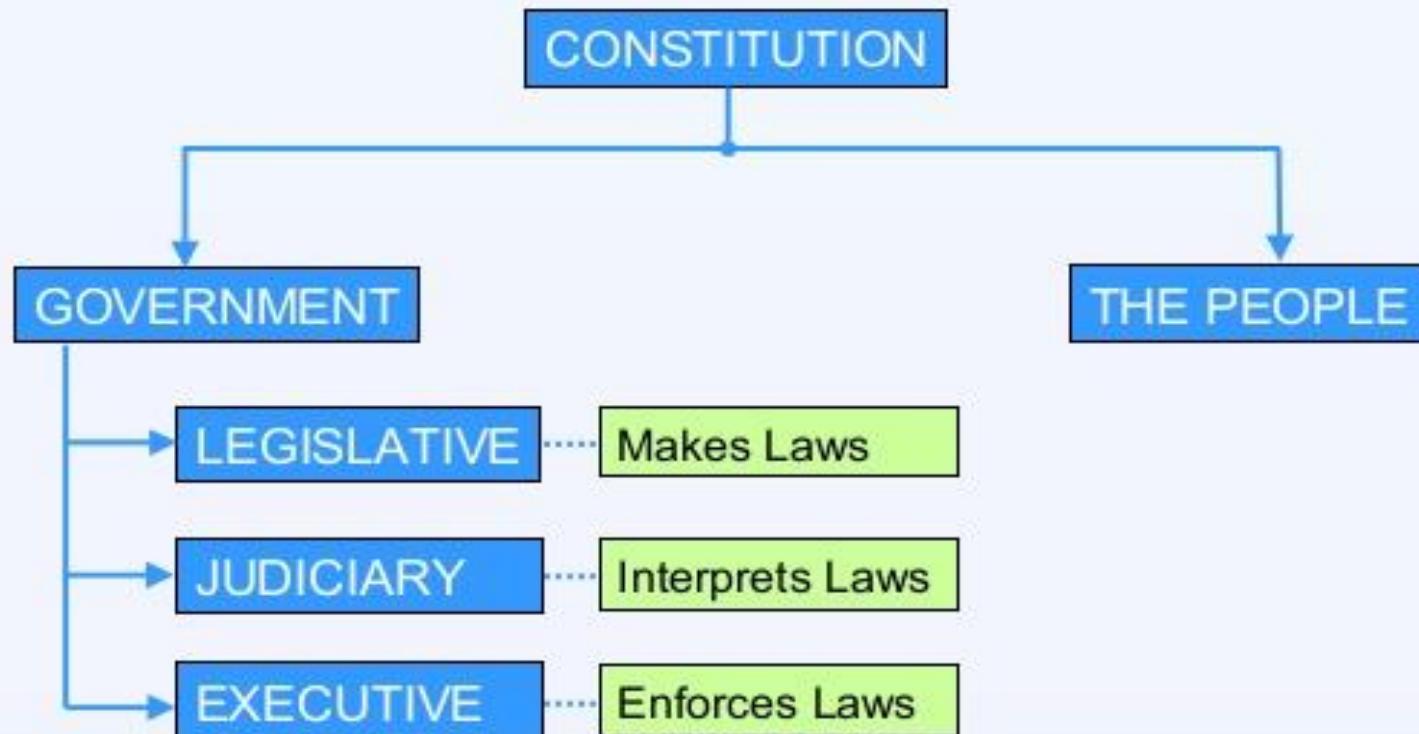


Fig.- Role of Constitution in relationship between Government and its people



1.What Is Constitution Anyway?

II) Technical Definitions-

A constitution is a set of fundamental principles or established precedents according to which a state or other organization is governed. These rules together make up, i.e. *constitute*, what the entity is. When these principles are written down into a single collection or set of legal documents, those documents may be said to comprise a **written constitution**.

or

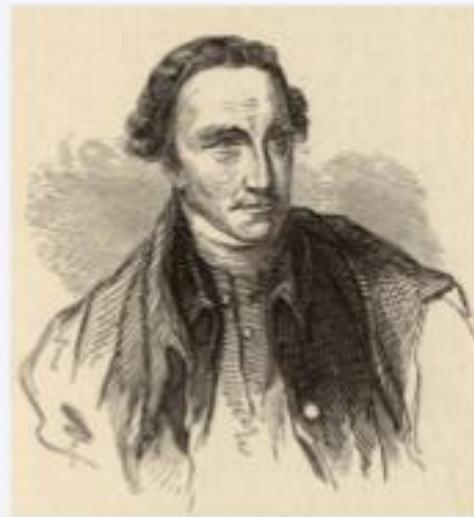
The document containing laws and rules which determine and describe the form of the government, the relationship between the citizens and the government, is called a **Constitution**.



1.What Is Constitution Anyway?

III) An observation-

"The Constitution is not an instrument for the government to restrain the people, it is an instrument for the people to restrain the government." --Patrick Henry



Patrick Henry (1736-1799)



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3.The History of Constitution of India.

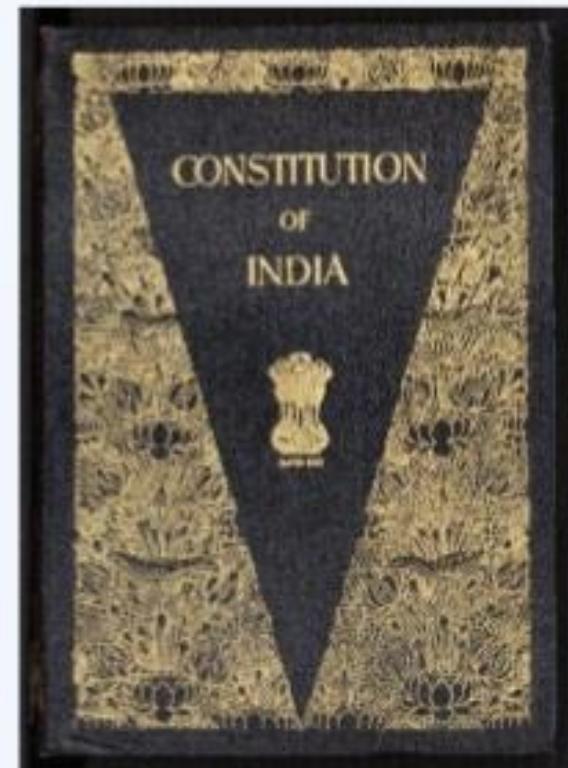
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2. Why Do We Need Constitution?

In General-

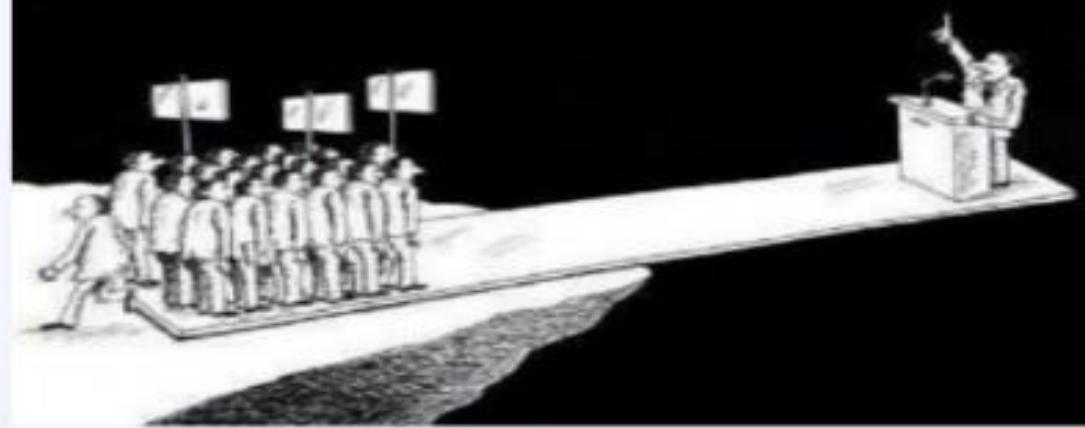
- I. We need a constitution to govern a country properly.
- II. The constitution defines the nature of political system of a country.
- III. sometimes we feel strongly about an issue that might go against our larger interests and the constitution helps us guard against this.
- IV. All the 3 organs of government (executive, legislature and judiciary) functions within the constitution. All the 3 organs of government, including ordinary citizens, derive their power and authority (i.e. Fundamental Right) from the constitution. If they act against it, it is unconstitutional and unlawful.

So constitution is required to have authoritative allocation of power and function, and also to restrict them within its limit.



2. Why Do We Need Constitution?

**The people don't know
their true power**





2.Why Do We Need Constitution?

To perform following Functions we need Constitution-

- I. **The first function** of a constitution is to provide a set of basic rules that allow for minimal coordination amongst members of a society.
- II. **The second function** of a constitution is to specify who has the power to make decisions in a society. It decides how the government will be constituted.
- III. **The third function** of a constitution is to set some limits on what a government can impose on its citizens. These limits are fundamental in the sense that government may ever trespass them.
- IV. **The fourth function** of a constitution is to enable the government to fulfill the separations of a society and create conditions for a just society.

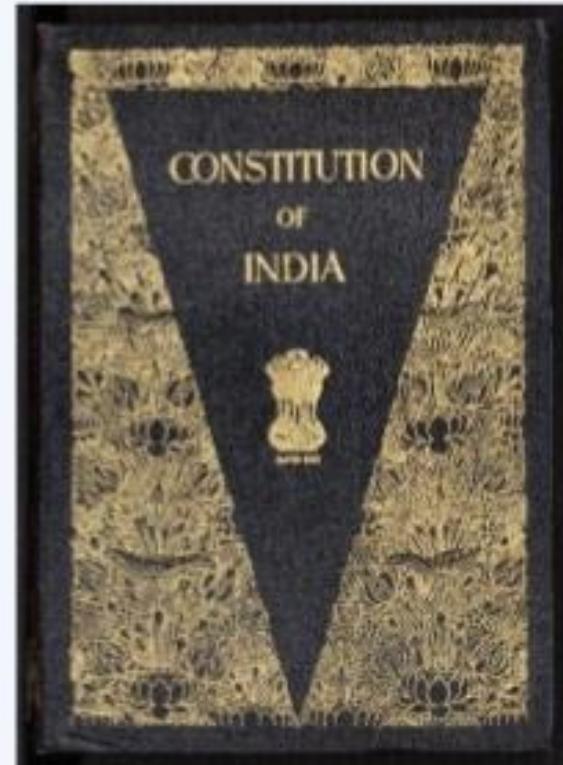
The main characteristics are:

- Longest written constitution
- Partly rigid and flexible
- Democratic Republic
- Parliamentary System of Govt.
- A Federation
- Fundamental Rights
- Directive Principles of State Policy
- Fundamental Duties
- Secular States
- An independent Judiciary
- Single Citizenship



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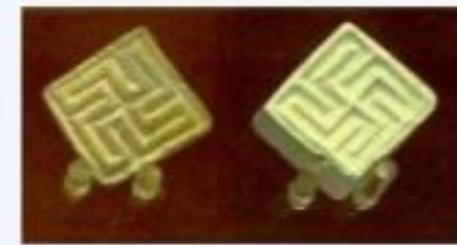
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3.The History of Constitution of India.

A Look at Ancient India-

India is a home of ancient “Indus valley civilization” which goes back to 3300–1300 BC (mature period 2600–1900 BC). India is a world famous for its ancient history and culture.



Shiva Pashupati & Swastika Seals from the Indus Valley

The time Before 500 AD is widely accepted as era of Ancient India. The earliest anatomically modern human remains found in South Asia date from approximately 30,000 years ago.

But regarding to *Constitutional History*, India goes back to only 3rd Century BC(269 BC to 231 BC) in the time of the Emperor “Ashoka The Great.”



3. The History of Constitution of India.

Indian Constitutional History

- 1. 324 BC - 185 BC
Emperor Ashoka Maurya established constitutional principles, Engraved them in major rocks, pillar and on minor rocks for public to take reference. Also known as **Edicts of Ashoka**.
- 2. 1599AD-1765AD
East India Company takes **total administrative control** by gaining right of taxation in Bengal after Battle of Plassey (1757).
- 3. 1765AD-1858AD
East India Company takes **total unified control** over the whole of India from a single center in Calcutta. But its rule ended with the Revolt of 1857.
- 4. 1858AD-1947AD
This period of the **British Raj** was the time when the **Constitution of India took shape**.
- 5. 1950AD
Finally **Constitution of India**, created in **independent India** by its own free people, was adopted on 26 November 1949 and came into effect on 26 January 1950. As we know it and use it today.



3.The History of Constitution of India.

1) **The Edicts of Ashoka (324 BC - 185 BC)** established constitutional principles for the 3rd century BC Maurya king's rule in Ancient India.

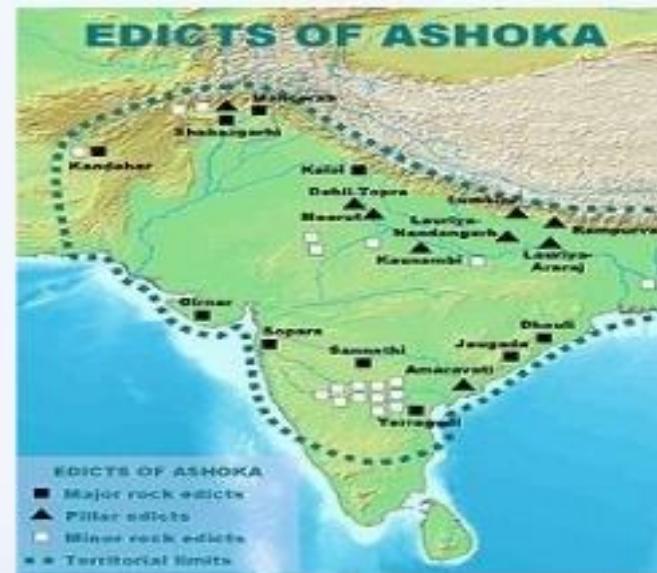
The Edicts of Ashoka are a collection of 33 inscriptions on the Pillars of Ashoka, as well as boulders and cave walls, made by the Emperor Ashoka of the Mauryan dynasty.



Fragment of the 6th Pillar, in Brahmi sandstones. British Museum.



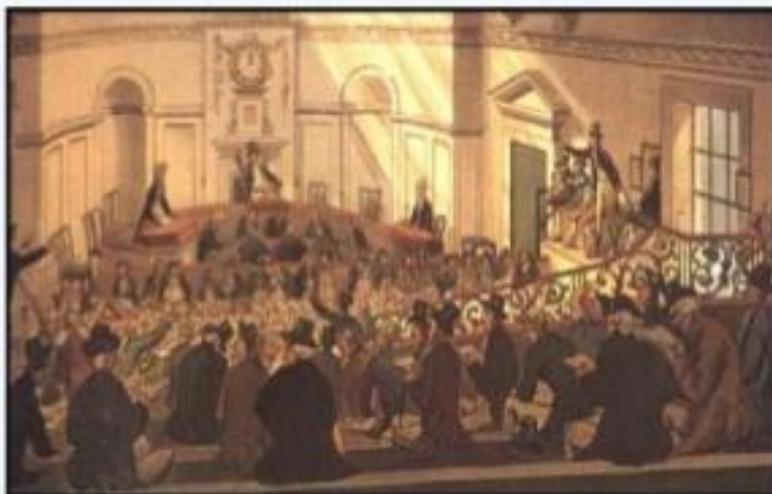
View of the Ashokan Pillar at Vaishali.





3. The History of Constitution of India.

2) **East India Company (1599AD-1765AD)**- In 1600, the East India Company came to India as a trading company from Britain. In 1765, it became an administrative power after gaining the **Right of Taxation** in Bengal after defeating the Nawab of Bengal at the Battle of Plassey (1757).



Established in 1600 by Queen Elizabeth



View of East India House



3.The History of Constitution of India.

3) East India Company (1765AD-1858AD)- During this period, the company established a **unified control over the whole of India** from a single center in Calcutta. Different Acts and Laws were forced by company during this period just so company could remain in power and authority. But the company came under increasing control by parliament of Britain and its rule ended with the Revolt of 1857.



Different battles all over the India.



3.The History of Constitution of India.

4) British Raj(1858AD-1947AD)- This period of the British Raj was the time when the Constitution of India took shape. The main stages of its evolution were:

- I. **The Act for the Better Government of India (1858)-** This put India directly under the control of the British government. It set up the office of the Secretary of State, member of the British parliament, who would be in charge of Indian government. In India, the Governor-General, working under the Secretary of State, led the administration.



Flag of British India (Known as star of India)



Left Hunting of Indian Tigers, Right Famines and epidemics in the British Raj



3.The History of Constitution of India.

- II. **Indian Councils Act (1861)**- A separate legislative council was set up to assist the Governor-General in making laws. Indians could be appointed to the council, but only on the discretion of the Governor-General.
- III. **Indian Councils Act (1892)**- As a result of Indian demands, the sizes of the executive and legislative councils were increased. More Indians were appointed to these Councils, and the principle of election was introduced.
- IV. **Indian Councils Act (1909)**- This act increased the sizes of the councils again, and also gave the legislative council the power to discuss certain matters and to ask questions. More people were elected to the councils.
- V. **Government of India Act (1919)**- *This introduced 'diarchy' (partial responsible government) at the provincial level. Elected Indians were given charge of some areas of government (e.g., industry, education) at the provincial level.*



3.The History of Constitution of India.

5) **Constitution of India(1950AD)**- The Constitution was enacted by the Constituent Assembly on 26 November 1949, and came into effect on 26 January 1950.

The date 26 January was chosen to commemorate the **Purna Swaraj declaration of independence of 1930**. With its adoption, the Union of India officially became the modern and contemporary Republic of India and it replaced the Government of India Act 1935 as the country's fundamental governing document.

Conscious efforts were made to have consensus on different issues and principles and thereby avoid disagreement. The consensus came in the form of the 'Objectives Resolution' moved by Jawahar Lal Nehru in the Constituent Assembly on December 17, 1946 which was almost unanimously adopted on January 22, 1947.



3. The History of Constitution of India.

In the light of these 'Objectives' the Assembly completed its task by November 26, 1949. The constitution was enforced with effect from January 26, 1950. From that day India became Republic of India.

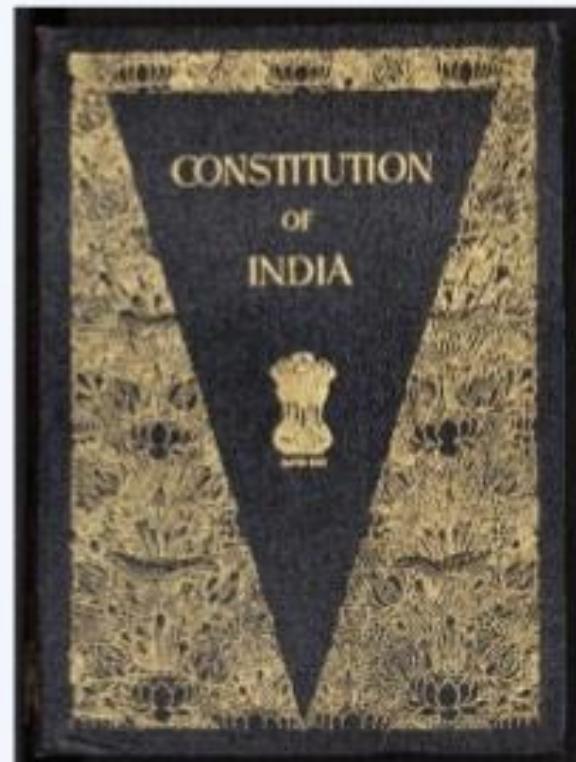


Dr. Rajendra Prasad signing the new constitution



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- A Federation
- Fundamental Rights
- Directive Principles of State Policy
- Fundamental Duties
- Secular States
- An independent Judiciary
- Single Citizenship



4. The Framing of Constitution of India.

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.



4. The Framing of Constitution of India.

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



4. The Framing of Constitution of India.

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.



4. The Framing of Constitution of India.

Borrowed features of constitution of India

- From U.K.** - Nominal Head – President, Cabinet System of Ministers, Post of PM, Parliamentary Type of Govt., Bicameral Parliament, Lower House more powerful, Council of Ministers responsible to Lower House, Provision of Speaker in Lok Sabha.
- From U.S.A-** Written constitution, Appointment of Vice President, Fundamental Rights, Supreme court, Head of the state known as president, Provision of states, Judicial review
- From Australia-** Concurrent List, Centre-State relationship, Language of the Preamble
- From USSR-** Fundamental Duties, Five year plan
- From Germany-** Emergency provisions
- From Japan-** Law on which the Supreme Court functions
- From Canada-** Federal System and Residuary powers
- From South Africa-** Procedure of constitutional amendment
- From Ireland-** Concept of Directive Principles of state policy.



4. The Framing of Constitution of India.

For the time being till the constitution was made, India would be governed in accordance with the Government of India act 1935.

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. It was finally passed and accepted on Nov 26, 1949. In all the 284 members of the Assembly signed the official copies (Original) of the Indian Constitution.

After many deliberations and some modifications over 111 plenary sessions in 114 days, the 308 members of the Assembly signed two copies (Final) of the document (one each in Hindi and English) on 24 January 1950

Same day the Assembly unanimously elected Dr. Rajendra Prasad as the President of India. which came into effect on Jan 26, 1950, known and celebrated as **the Republic Day of India**.

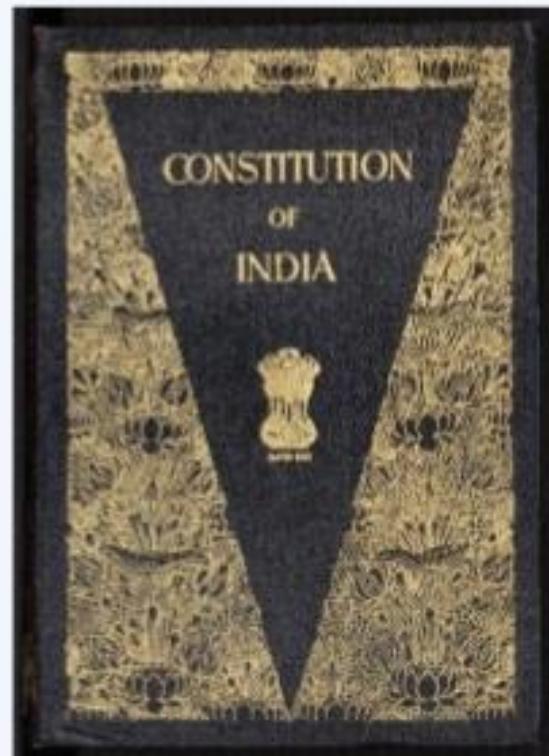
Indian Independence Act of 1947

- It declared India as an **Independent** and **Sovereign State**.
- Established responsible Governments at both the Centre and the Provinces.
- Designated the Viceroy of India and the provincial Governors as the Constitutional (normal heads).
- It assigned dual functions (Constituent and Legislative) to the Constituent Assembly and declared this dominion legislature as a sovereign body.



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5. The Preamble to Constitution of India.

The Preamble to the Constitution of India is a brief introductory statement that sets out the guiding purpose and principles of the document.

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 of the Nation;

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



5. The Preamble to Constitution of India.

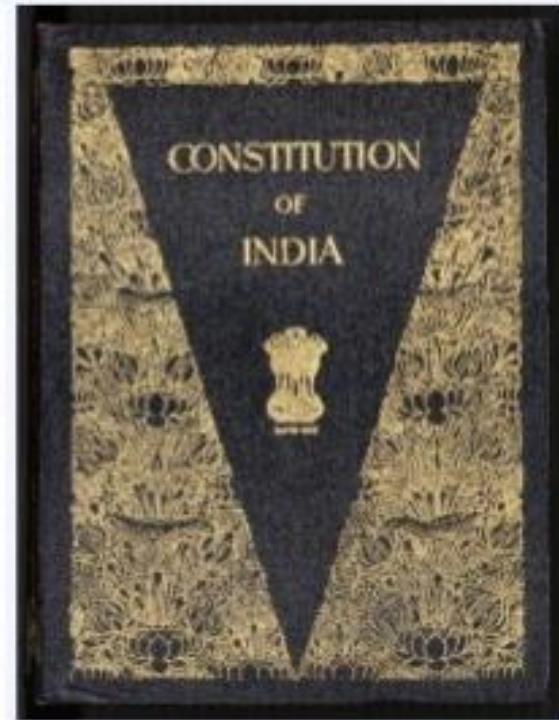
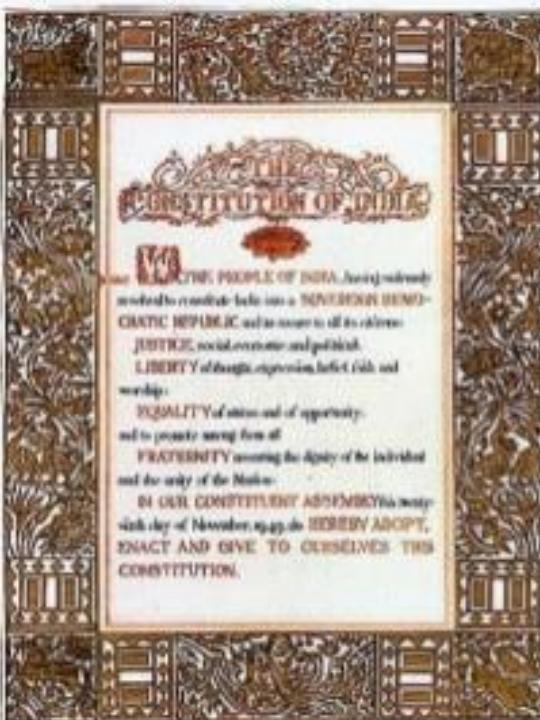
The first words of the Preamble - "**We, the people**" - signifies that power is ultimately vested in the hands of the People of India. So far the Preamble has been amended only once in 1976 by 42nd amendment (change) which inserted the words Socialism, Secularism and Integrity. **A brief description of these concepts are as follows** (in the order they come in Preamble)-

- 1. Sovereign-** It means free to follow internal and external Policies.
- 2. Secular-** It means no particular Religion is preferred.
- 3. Socialist-** It means no concentration of Power and Money.
- 4. Democratic-** It means rule by elected representative of the People of India.
- 5. Republic-** It means no room for hereditary ruler or monarch.



5. The Preamble to Constitution of India.

The preamble-page, along with other pages of the First and original **Book of Constitution of India**, was designed (Art) and decorated (Frames) solely by renowned painter Beohar shakha.

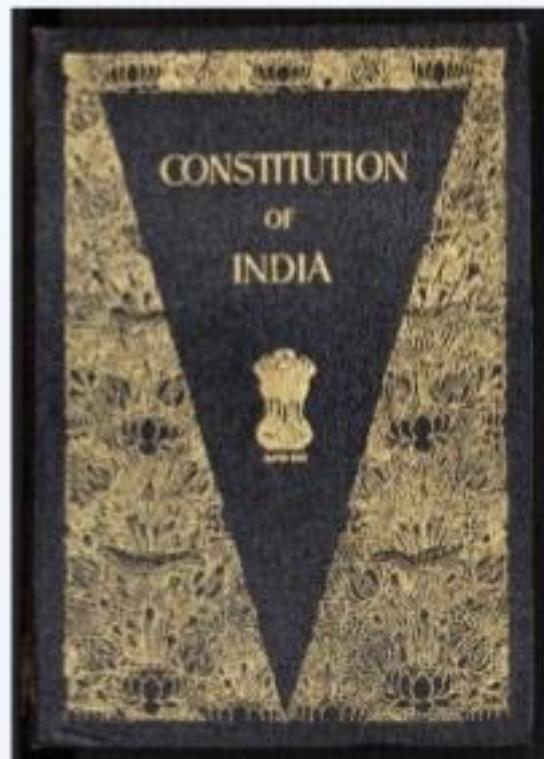


Hindi (Left) and English (Middle) versions of Preamble as available in the First book of Constitution of India (Right).



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6.What Is The constitution of India?

(i) Constitution of India In General:-

Constitution of India is considered to be the supreme law of the country, as it puts forth the framework of fundamental political principles. It establishes the structure, procedures, powers and duties of the government and mentions the fundamental rights, directive principles and duties of citizens.

The Constitution declares India as a Sovereign, Socialist Democratic, and Republic with a parliamentary form of government.

The Indian Constitution shows Federal as well as Unitary System.

1. Federal System- powers are divided and/or shared between state and central governments

2. Union System- power concentration in central government with weak state Government

The Indian Federal System

- The constitution of India provides for a federal system of government though the term federation has nowhere been used in the constitution .
- Article 1- India, that is bharat shall be a **union of states**.

The Indian Federal System

- A federation is an association in which several states are united together in common matters and are independent in other matters.
- Federalism is an agreement between the states and the centre to work together and yet function independently .
- Federation this word comes from latin word foedus and foedus means contract . In federation contract between centre and states .

Federal features

- 1.Governments at two level- centre and states
- 2.Division of power-division of power between centre and states
- 3.Written constitution- Written constitution which defines the structure , organisation and power of the central as well as state govt. , so that the two operate within their respective spheres without interfering in each other's jurisdiction.
- 4.Rigid Constitution-Rigid constitution which can be amended either by the joint action of the federal and states legislature or by an independent authority.

Federal features

- 5.Independent Judiciary- the judiciary also insure that the federal and states governments operate within the sphere allotted to them by the constitution.
- 6.Bicameral Legislature-Like other federation the constitution of India provides for a bicameral parliament consist Loksabha and Rajyasabha.
- 7.Supremacy of constitution –The costitution of India stands at the top of the hierarchy of all laws both national and state level.

Unitary features

- 1.A strong Centre – Indian constitution provides for a very strong centre , a feature of unitary government.
- 2.A Single Constitution for Union and states – Unlike other federation of the world the states in india have not been given right to make or unmake their own constitution.
- 3.Flexibility of the constitution – In comparison to the other federation the constitution of india rather flexible.

Unitary features

- 4.Single Citizenship –Usually in other federation there is provision for double citizenship .
- 5.Inequality of representation in the Rajyasabha – The indian constitution also deviates from the traditional principle of providing equal representation to the states in the Upper Houses of the federal legislature .

Unitary features

- 6.Existence of union territories - Union territories directly governed by the central government and do not enjoy any independent powers or autonomy.
- 7.Emergency provision – The existence of emergency provision in the constitution also poses a serious challenge to the federal character of the Indian Polity .

Unitary Features

- 8. Appointment of Governor by President – The provision regarding the appointment of Governor of States by the President is also clear violation of the federal principle.
- 9. Single Unified Judiciary – Unlike other federations , India possesses a single unified judiciary with the supreme court at the apex .
- 10. Centralised Election Machinery – One election commission in charge of elections in the centre and states .

Union/Centre States Relation

- 1. Legislative relation between union and states .
- 2. Administrative relation between union and states .
- 3. Financial relation between union and states.

Legislative Relation Between Union and States

- The Union States relation in the legislative sphere have been dealt by Article 245 to 254.
- Legislative powers distributed in Union list , State list and Concurrent list.
- Union List – 99 Subject In respect to these subject Union has power to make law .e.g. Defence, Foreign affaires ,Citizenship etc
- States List – 61 Subjects in respects to these subjects states has power to make law.e.g.Public order ,Public health , Forest ,Agriculture, Education etc.

Legislative Relation Between Union and States

- Concurrent List – 52 subjects in respect to these subjects Union and States both has power to make law .e.g. Criminal law, Trade union , Marriage, Divorce Etc.
- However , if the law of the Union Government and the State Government comes into clash with each other then Union`s law prevails.
- Residuary Powers – According to Article 248 residuary powers goes to Union . Residuary powers means those subjects are not covered in Union List , States List and Concurrent List.

- The administrative jurisdiction of the Union and the State Governments extends to the subjects in the union list and state list respectively , which clearly establishes the superiority of the union government in the Administrative sphere as well.
- Article 256 to 262 contains the administrative relation between the union government and the states .
- Centre can give directions to the State executive on various occasions .

Centre can give directions various occasions to the State executive .

- Article 256- The executive power of every state is to be exercised in such a way as to conform to the law passed by the parliament and to this end the union executive can give to the state such directions as the centre may deem necessary .
- Article 257- The executive of the union government can give directions to the executive of the state not to impede or put obstacle in the way of the exercise of the executive power of the union .

Centre can give direction various occasions to the State executive .

- Article 258- The central government can with the consent of the state government , entrust conditionally or unconditionally some functions under its jurisdictions to the state government or its officers .
- Article 339- Empower the union government to issue directives to the states for the welfare of the scheduled castes and scheduled tribes .

Financial relation between Union and States

- The distribution of the financial resources in india has broadly been made as follows.
- 1.Taxes Exclusively assigned to the union.
- 2.Taxes Exclusively assigned to states.
- 3.Taxes Leviable by union but collected and appropriated by the states.
- 4.Taxes levied and collected by the union but assigned to states.

Financial relation between Union and States

- 5.Taxes levied and collected union but shared with states.

States has financial power as follows

- Allocation of revenue
- Grants in aids
- Loans

CONSTITUTION OF INDIA- STRUCTURE AND FEATURES

BACKGROUND

- The Constitution of India was adopted on 26 November 1949 and came into effect on 26 January 1950, proclaiming India to be a sovereign, democratic republic

- The federal structure of government, provincial autonomy, a bicameral central legislature consisting of a federal assembly and a Council of States and the separation of legislative powers between the centre and states are some of the provisions of the Act which are present in the Constitution of India.

DRAFTING

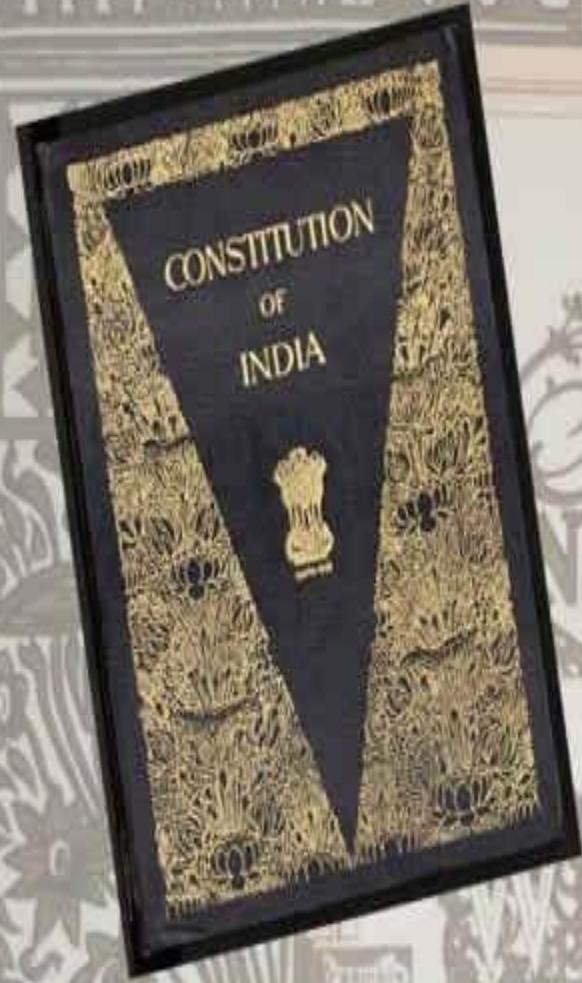
- The Constitution was drafted by the Constituent Assembly, which was elected by the elected members of the provincial assemblies.
- Dr B.R. Ambedkar, Sanjay Phakey, Jawaharlal Nehru, C. Rajagopalachari, Rajendra Prasad, Sardar Vallabhbhai Patel, Maulana Abul Kalam Azad were some important figures in the Assembly.
- The members of the Constituent Assembly met for the first time on 9 December 1946
- On 29 August 1947, the Drafting Committee was appointed, with Dr B. R. Ambedkar as the Chairman along with six other members assisted by a constitutional advisor.

STRUCTURE

- The Constitution, in its current form (September 2012), consists of a preamble, 25 parts containing 463 articles, 12 schedules, 2 appendices and 97 amendments to date (latest being related to co-operative societies added in part IX(B) in 2012).
- Indian constitution is federal in nature and also has a strong unitary bias.
- 22 PARTS
- 395 ARTICLES
- 12 SCHEDULES
- 2 APPENDICES
- 92 AMENDMENTS

- **Parts:**
- The individual Articles of the Constitution are grouped together into the following Parts:
 - **Preamble**
 - **Part I – Union and its Territory**
 - **Part II – Citizenship.**
 - **Part III – Fundamental Rights.**
 - **Part IV – Directive Principles of State Policy.**
 - **Part IVA – Fundamental Duties.**
 - **Part V – The Union.**
 - **Part VI – The States.**
 - **Part VII – States in the B part of the First schedule(*Repealed*).**
 - **Part VIII – The Union Territories**
 - **Part IX – The Panchayats.**

- **Part IXA** – The Municipalities.
- **Part IXB** – The Cooperative Societies
- **Part X** – The scheduled and Tribal Areas
- **Part XI** – Relations between the Union and the States.
- **Part XII** – Finance, Property, Contracts and Suits
- **Part XIII** – Trade and Commerce within the territory of India
- **Part XIV** – Services Under the Union, the States.
- **Part XIVA** – Tribunals.
- **Part XV** – Elections
- **Part XVI** – Special Provisions Relating to certain Classes.
- **Part XVII** – Languages
- **Part XVIII** – Emergency Provisions
- **Part XIX** – Miscellaneous
- **Part XX** – Amendment of the Constitution
- **Part XXI** – Temporary, Transitional and Special Provisions
- **Part XXII** – Short title, date of commencement, Authoritative text in Hindi and Repeals



Constitution of India: List of All Articles (1-395) and Parts (1-22)

➤ Constitution of India contains 395 articles in 22 parts. Additional articles and parts are inserted later through various amendments. There are also 12 schedules in the Indian Constitution

PART I: THE UNION AND ITS TERRITORY

- 1 Name and territory of the Union.
- 2 Admission or establishment of new States.
- 2A [Repealed.]
- 3 Formation of new States and alteration of areas, boundaries or names of existing States.
- 4 Laws made under articles 2 and 3 to provide for the amendment of the First and the Fourth Schedules and supplemental, incidental and consequential matters.

PART II: CITIZENSHIP

5 Citizenship at the commencement of the Constitution.

6 Rights of citizenship of certain persons who have migrated to India from Pakistan.

7 Rights of citizenship of certain migrants to Pakistan.

8 Rights of citizenship of certain persons of Indian origin residing outside India.

9 Persons voluntarily acquiring citizenship of a foreign State not to be citizens.

10 Continuance of the rights of citizenship.

11 Parliament to regulate the right of citizenship by law.

PART III : FUNDAMENTAL RIGHTS

General

12 Definition.

13 Laws inconsistent with or in derogation of the fundamental rights.

Right to Equality

14 Equality before law.

15 Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.

16 Equality of opportunity in matters of public employment.

17 Abolition of Untouchability.

18 Abolition of titles.

Right to Freedom

19 Protection of certain rights regarding freedom of speech, etc.

20 Protection in respect of conviction for offences.

21 Protection of life and personal liberty.

21A Right to education

22 Protection against arrest and detention in certain cases.

Right against Exploitation

23 Prohibition of traffic in human beings and forced labour.

24 Prohibition of employment of children in factories, etc.

Right to Freedom of Religion

25 Freedom of conscience and free profession, practice and propagation of religion.

26 Freedom to manage religious affairs.

27 Freedom as to payment of taxes for promotion of any particular religion.

28 Freedom as to attendance at religious instruction or religious worship in certain educational institutions.

Cultural and Educational Rights

29 Protection of interests of minorities.

30 Right of minorities to establish and administer educational institutions.

31 [Repealed.]

Saving of Certain Laws

31A Saving of Laws providing for the acquisition of estates, etc.

31B Validation of certain Acts and Regulations.

31C Saving of laws giving effect to certain directive principles.

31D [Repealed.]

Right to Constitutional Remedies

32 Remedies for enforcement of rights conferred by this Part.

32A [Repealed.]

33 Power of Parliament to modify the rights conferred by this Part in their application to Forces, etc.

34 Restriction on rights conferred by this Part while martial law is in force in any area.

35 Legislation to give effect to the provisions of this Part.

PART IV: DIRECTIVE PRINCIPLES OF STATE POLICY

36 Definition.

37 Application of the principles contained in this Part.

38 State to secure a social order for the promotion of the welfare of the people.

39 Certain principles of policy to be followed by the State.

39A Equal justice and free legal aid.

40 The organisation of village panchayats.

41 Right to work, to education and to public assistance in certain cases.

42 Provision for just and humane conditions of work and maternity relief.

43 Living wage, etc., for workers.

43A Participation of workers in the management of industries.

43B Promotion of co-operative societies.

44 Uniform civil code for the citizens.

45 Provision for free and compulsory education for children.

46 Promotion of educational and economic interests of Scheduled Castes, Scheduled Tribes and other weaker sections.

47 Duty of the State to raise the level of nutrition and the standard of living and to improve public health.

48 The organisation of agriculture and animal husbandry.

48A Protection and improvement of environment and safeguarding of forests and wildlife.

49 Protection of monuments and places and objects of national importance.

50 Separation of judiciary from the executive.

51 Promotion of international peace and security.

PART IVA: FUNDAMENTAL DUTIES

51A Fundamental duties.

PART V: THE UNION

CHAPTER I: THE EXECUTIVE

The President and Vice-President

52 [The President of India](#)

53 The executive power of the Union.

54 Election of President.

55 Manner of election of President.

56 Term of office of President.

57 Eligibility for re-election.

58 Qualifications for election as President.

59 Conditions of the President's office.

60 Oath or affirmation by the President.

61 Procedure for impeachment of the President.

62 Time of holding the election to fill the vacancy in the office of President and the term of office of person elected to fill the casual vacancy.

63 The Vice-President of India.

64 The Vice-President to be ex officio Chairman of the Council of States.

65 The Vice-President to act as President or to discharge his functions during casual vacancies in the office, or during the absence, of President

66 Election of Vice-President.

67 Term of office of Vice-President.

68 Time of holding the election to fill the vacancy in the office of Vice-President and the term of office of person elected to fill the casual vacancy.

69 Oath or affirmation by the Vice-President.

70 Discharge of President's functions in other contingencies.

71 Matters relating to, or connected with, the election of a President or Vice-President.

72 Power of President to grant pardons, etc., and to suspend, remit or commute sentences in certain cases.

73 The extent of executive power of the Union.

Council of Ministers

74 Council of Ministers to aid and advise the President.

75 Other provisions as to Ministers.

The Attorney-General for India

76 Attorney-General for India.

Conduct of Government Business

77 Conduct of business of the Government of India.

78 Duties of Prime Minister as respects the furnishing of information to the President, etc.

CHAPTER II: PARLIAMENT

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79 Constitution of Parliament.

80 Composition of the Council of States.

81 Composition of the House of the People.

82 Readjustment after each census.

83 Duration of Houses of Parliament.

84 Qualification for membership of Parliament.

85 Sessions of Parliament, prorogation and dissolution.

86 Right of President to address and send messages to Houses.

87 Special address by the President.

88 Rights of Ministers and Attorney-General as respects Houses.

Officers of Parliament

- 89 The Chairman and Deputy Chairman of the Council of States.
- 90 Vacation and resignation of, and removal from, the office of Deputy Chairman.
- 91 Power of the Deputy Chairman or other person to perform the duties of the office of, or to act as, Chairman.
- 92 The Chairman or the Deputy Chairman not to preside while a resolution for his removal from office is under consideration.
- 93 The Speaker and Deputy Speaker of the House of the People .
- 94 Vacation and resignation of, and removal from, the offices of Speaker and Deputy Speaker.
- 95 Power of the Deputy Speaker or other person to perform the duties of the office of, or to act as, Speaker.

96 The Speaker or the Deputy Speaker not to preside while a resolution for his removal from office is under consideration.

97 Salaries and allowances of the Chairman and Deputy Chairman and the Speaker and Deputy Speaker.

98 Secretariat of Parliament.

Conduct of Business

99 Oath or affirmation by members.

100 Voting in Houses, power of Houses to act notwithstanding vacancies and quorum.

Disqualifications of Members

101 Vacation of seats.

102 Disqualifications for membership.

103 Decision on questions as to disqualifications of members.

104 Penalty for sitting and voting before making oath or affirmation under article 99 or when not qualified or when disqualified.

Powers, Privileges and Immunities of Parliament and its Members

105 Powers, privileges, etc., of the Houses of Parliament and of the members and committees thereof.

106 Salaries and allowances of members.

Legislative Procedure

- 107 Provisions as to introduction and passing of Bills.
- 108 Joint sitting of both Houses in certain cases.
- 109 Special procedure in respect of Money Bills.
- 110 Definition of “Money Bills”.
- 111 Assent to Bills.

Procedure in Financial Matters

- 112 Annual financial statement.
- 113 Procedure in Parliament with respect to estimates.
- 114 Appropriation Bills.
- 115 Supplementary, additional or excess grants.
- 116 Votes on account, votes of credit and exceptional grants.
- 117 Special provisions as to financial Bills.

Procedure Generally

118 Rules of procedure.

119 Regulation by law of procedure in Parliament in relation to financial business.

120 Language to be used in Parliament.

121 Restriction on discussion in Parliament.

122 Courts not to inquire into proceedings of Parliament.

CHAPTER III: LEGISLATIVE POWERS OF THE PRESIDENT

123 Power of President to promulgate Ordinances during recess of Parliament

CHAPTER IV: THE UNION JUDICIARY

124 Establishment and constitution of Supreme Court.

124A National Judicial Appointments Commission. (*Declared unconstitutional by the Supreme Court, however not repealed by the Parliament*)

124B Functions of Commission.

124C Power of Parliament to make law.

125 Salaries, etc., of Judges.

126 Appointment of acting Chief Justice.

127 Appointment of ad hoc judges.

128 Attendance of retired Judges at sittings of the Supreme Court.

129 Supreme Court to be a court of record.

130 Seat of Supreme Court.

131 Original jurisdiction of the Supreme Court.

131A [Repealed.]

132 Appellate jurisdiction of Supreme Court in appeals from High Courts in certain cases.

133 Appellate jurisdiction of Supreme Court in appeals from High Courts in regard to Civil matters.

134 Appellate jurisdiction of Supreme Court in regard to criminal matters.

134A Certificate for appeal to the Supreme Court.

135 Jurisdiction and powers of the Federal Court under existing law to be exercisable by the Supreme Court.

136 Special leave to appeal by the Supreme Court.

137 Review of judgments or orders by the Supreme Court.

138 Enlargement of the jurisdiction of the Supreme Court.

139 Conferment on the Supreme Court of powers to issue certain writs.

139A Transfer of certain cases.

140 Ancillary powers of Supreme Court.

141 Law declared by Supreme Court to be binding on all courts.

142 Enforcement of decrees and orders of Supreme Court and orders as to discovery, etc.

143 Power of President to consult Supreme Court.

144 Civil and judicial authorities to act in aid of the Supreme Court.

144A [Repealed.]

145 Rules of Court, etc.

146 Officers and servants and the expenses of the Supreme Court.

147 Interpretation.

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148 Comptroller and Auditor-General of India.

149 Duties and powers of the Comptroller and Auditor-General.

150 Form of accounts of the Union and of the States.

151 Audit reports.

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152 Definition.

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153 Governors of States.

154 Executive power of State.

155 Appointment of Governor.

156 Term of office of Governor.

157 Qualifications for appointment as Governor.

158 Conditions of Governor's office

159 Oath or affirmation by the Governor.

160 Discharge of the functions of the Governor in certain contingencies.

161 Power of Governor to grant pardons, etc., and to suspend, remit or commute sentences in certain cases.

162 Extent of executive power of State.

Council of Ministers

163 Council of Ministers to aid and advise Governor.

164 Other provisions as to Ministers.

The Advocate-General for the State

165 Advocate-General for the State.

Conduct of Government Business

166 Conduct of business of the Government of a State.

167 Duties of Chief Minister as respects the furnishing of information to Governor, etc.

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- 168 Constitution of Legislatures in States.
- 169 Abolition or creation of Legislative Councils in States.
- 170 Composition of the Legislative Assemblies.
- 171 Composition of the Legislative Councils.
- 172 Duration of State Legislatures.
- 173 Qualification for membership of the State Legislature.
- 174 Sessions of the State Legislature, prorogation and dissolution.
- 175 Right of Governor to address and send messages to the House or Houses.
- 176 Special address by the Governor.
- 177 Rights of Ministers and Advocate-General as respects the Houses.

Officers of the State Legislature

178 The Speaker and Deputy Speaker of the Legislative Assembly.

179 Vacation and resignation of, and removal from, the offices of Speaker and Deputy Speaker.

180 Power of the Deputy Speaker or other person to perform the duties of the office of, or to act as, Speaker.

181 The Speaker or the Deputy Speaker not to preside while a resolution for his removal from office is under consideration.

182 The Chairman and Deputy Chairman of the Legislative Council.

183 Vacation and resignation of, and removal from, the offices of Chairman and Deputy Chairman.

184 Power of the Deputy Chairman or other person to perform the duties of the office of, or to act as, Chairman.

185 The Chairman or the Deputy Chairman not to preside while a resolution for his removal from office is under consideration.

186 Salaries and allowances of the Speaker and Deputy Speaker and the Chairman and Deputy Chairman.

187 Secretariat of State Legislature.

Conduct of Business

188 Oath or affirmation by members.

189 Voting in Houses, power of Houses to act notwithstanding vacancies and quorum.

Disqualifications of Members

190 Vacation of seats.

191 Disqualifications for membership.

192 Decision on questions as to disqualifications of members.

193 Penalty for sitting and voting before making oath or affirmation under article

Powers, privileges and immunities of State Legislatures and their Members

194 Powers, privileges, etc., of the Houses of Legislatures and of the members and committees thereof.

195 Salaries and allowances of members.

Legislative Procedure

196 Provisions as to introduction and passing of Bills.

197 Restriction on powers of Legislative Council as to Bills other than Money Bills.

198 Special procedure in respect of Money Bills.

199 Definition of “Money Bills”.

200 Assent to Bills.

201 Bills reserved for consideration.

Procedure in Financial Matters

202 Annual financial statement.

203 Procedure in Legislature with respect to estimates.

204 Appropriation Bills.

205 Supplementary, additional or excess grants.

206 Votes on account, votes of credit and exceptional grants.

207 Special provisions as to financial Bills.

Procedure Generally

208 Rules of procedure.

209 Regulation by law of procedure in the Legislature of the State in relation to financial business.

210 Language to be used in the Legislature.

211 Restriction on discussion in the Legislature.

212 Courts not to inquire into proceedings of the Legislature.

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213 Power of Governor to promulgate Ordinances during recess of Legislature.

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214 High Courts for States.

215 High Courts to be courts of record.

216 Constitution of High Courts.

217 Appointment and conditions of the office of a Judge of a High Court.

218 Application of certain provisions relating to Supreme Court to High Courts.

219 Oath or affirmation by Judges of High Courts.

220 Restriction on practice after being a permanent Judge.

221 Salaries, etc., of Judges.

222 Transfer of a Judge from one High Court to another.

223 Appointment of acting Chief Justice.

224 Appointment of additional and acting Judges.

224A Appointment of retired Judges at sittings of High Courts.

225 Jurisdiction of existing High Courts.

226 Power of High Courts to issue certain writs.

226A [Repealed..]

227 Power of superintendence over all courts by the High Court.

228 Transfer of certain cases to High Court.

228A [Repealed.]

229 Officers and servants and the expenses of High Courts.

230 Extension of jurisdiction of High Courts to Union territories.

231 Establishment of a common High Court for two or more States.

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233 Appointment of district judges.

233A Validation of appointments of, and judgments, etc., delivered by, certain district judges.

234 Recruitment of persons other than district judges to the judicial service.

235 Control over subordinate courts.

236 Interpretation.

237 Application of the provisions of this Chapter to certain class or classes of magistrates.

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238 [Repealed.]

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239 Administration of Union territories.

239A Creation of local Legislatures or Council of Ministers or both for certain Union territories.

239AA Special provisions with respect to Delhi.

239AB Provision in case of failure of constitutional machinery.

239B Power of the administrator to promulgate Ordinances during recess of Legislature.

240 Power of President to make regulations for certain Union territories.

241 High Courts for Union territories.

242 [Repealed.]

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243 Definitions.

243A Gram Sabha.

243B Constitution of Panchayats.

243C Composition of Panchayats.

243D Reservation of seats.

243E Duration of Panchayats, etc.

243F Disqualifications for membership.

243G Powers, authority and responsibilities of Panchayats.

243H Powers to impose taxes by, and Funds of, the Panchayats.

243-I Constitution of Finance Commission to review financial position.

243J Audit of accounts of Panchayats.

243K Elections to the Panchayats.

243L Application to Union territories.

243M Part not to apply to certain areas.

243N Continuance of existing laws and Panchayats.

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243P Definitions.

243Q Constitution of Municipalities.

243R Composition of Municipalities.

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243T Reservation of seats.

243U Duration of Municipalities, etc.

243V Disqualifications for membership.

243W Powers, authority and responsibilities of Municipalities, etc.

243X. Power to impose taxes by, and Funds of, the Municipalities.

243 Finance Commission.

243Z Audit of accounts of Municipalities.

243ZA Elections to the Municipalities.

243ZB Application to Union territories.

243ZC Part not to apply to certain areas.

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243ZF Continuance of existing laws and Municipalities.

243ZG Bar to interference by Courts in electoral matters.

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243ZH Definitions

243ZI Incorporation of co-operative societies

243ZJ Number and term of members of the board and its office bearers.

243 ZK Election of members of board.

243ZL Supersession and suspension of the board and interim management.

243ZM Audit of accounts of co-operative societies.

243ZN Convening of general body meetings.

243ZO Right of a member to get information,

243ZP Returns.

243ZQ Offences and penalties.

243ZR Application to multi-state co-operative societies.

243ZS Application to Union Territories.

243ZT Continuance of existing laws.

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244 Administration of Scheduled Areas and Tribal Areas.

244A Formation of an autonomous State comprising certain tribal areas in Assam and creation of local Legislature or Council of Ministers or both therefor.

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245 Extent of laws made by Parliament and by the Legislatures of States.

246 Subject-matter of laws made by Parliament and by the Legislatures of States.

246A Special provision with respect to goods and services tax.

247 Power of Parliament to provide for the establishment of certain additional courts.

248 Residuary powers of legislation.

249 Power of Parliament to legislate with respect to a matter in the State List in the national interest.

250 Power of Parliament to legislate with respect to any matter in the State List if a Proclamation of Emergency is in operation.

251 Inconsistency between laws made by Parliament under articles 249 and 250 and laws made by the Legislatures of States.

252 Power of Parliament to legislate for two or more States by consent and adoption of such legislation by any other State.

253 Legislation for giving effect to international agreements.

254 Inconsistency between laws made by Parliament and laws made by the Legislatures of States.

255 Requirements as to recommendations and previous sanctions to be regarded as matters of procedure only.

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256 Obligation of States and the Union.

257 Control of the Union over States in certain cases.

257A [Repealed.]

258 Power of the Union to confer powers, etc., on States in certain cases.

258A Power of the States to entrust functions to the Union.

259 [Repealed.]

260 Jurisdiction of the Union in relation to territories outside India.

261 Public acts, records and judicial proceedings.

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262 Adjudication of disputes relating to waters of inter-State rivers or river valleys.

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263 Provisions with respect to an inter-State Council.

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264 Interpretation.

265 Taxes not to be imposed save by authority of law.

266 Consolidated Funds and public accounts of India and of the States.

267 Contingency Fund. Distribution of Revenues between the Union and the States

268 Duties levied by the Union but collected and appropriated by the State.

268A [Repealed.]

269 Taxes levied and collected by the Union but assigned to the States.

269A Levy and collection of goods and services tax in the course of inter-state trade or commerce.

270 Taxes levied and distributed between the Union and the States.

271 Surcharge on certain duties and taxes for purposes of the Union.

272 [Repealed.]

273 Grants in lieu of export duty on jute and jute products.

274 Prior recommendation of President required to Bills affecting taxation in which States are interested.

275 Grants from the Union to certain States.

276 Taxes on professions, trades, callings and employments.

277 Savings.

278 [Repealed.]

279 Calculation of “net proceeds”, etc.

279A Goods and Services Tax Council.

280 Finance Commission.

281 Recommendations of the Finance Commission.

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282 Expenditure defrayable by the Union or a State out of its revenues.

283 Custody, etc., of Consolidated Funds, Contingency Funds and moneys credited to the public accounts.

284 Custody of suitors’ deposits and other moneys received by public servants and courts.

285 Exemption of property of the Union from State taxation.

286 Restrictions as to imposition of tax on the sale or purchase of goods.

287 Exemption from taxes on electricity.

288 Exemption from taxation by States in respect of water or electricity in certain cases.

289 Exemption of property and income of a State from Union taxation.

290 Adjustment in respect of certain expenses and pensions.

290A Annual payment to certain Devaswom Funds.

291 [Repealed.]

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292 Borrowing by the Government of India.

293 Borrowing by States.

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294 Succession to property, assets, rights, liabilities and obligations in certain cases.

295 Succession to property, assets, rights, liabilities and obligations in other cases.

296 Property accruing by escheat or laps or as bona vacantia.

297 Things of value within territorial waters or continental shelf and resources of the exclusive economic zone to vest in the Union.

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302 Power of Parliament to impose restrictions on trade, commerce and intercourse.

303 Restrictions on the legislative powers of the Union and of the States with regard to trade and commerce.

304 Restrictions on trade, commerce and intercourse among States.

305 Saving of existing laws and laws providing for State monopolies.

306 [Repealed.]

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309 Recruitment and conditions of service of persons serving the Union or a State.

310 Tenure of office of persons serving the Union or a State.

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312 All-India services.

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319 Prohibition as to the holding of offices by members of Commission on ceasing to be such members.

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326 Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage.

327 Power of Parliament to make provision with respect to elections to Legislatures.

328 Power of Legislature of a State to make provision with respect to elections to such Legislature.

329 Bar to interference by courts in electoral matters.

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331 Representation of the Anglo-Indian community in the House of the People.

332 Reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States.

333 Representation of the Anglo-Indian community in the Legislative Assemblies of the States.

334 Reservation of seats and special representation to cease after sixty years.

335 Claims of Scheduled Castes and Scheduled Tribes to services and posts.

336 Special provision for Anglo-Indian community in certain services.

337 Special provision with respect to educational grants for the benefit of the Anglo-Indian Community.

338 National Commission for Scheduled Castes.

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341 Scheduled Castes.

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344 Commission and Committee of Parliament on official language.

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345 Official language or languages of a State.

346 Official language for communication between one State and another or between a State and the Union.

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354 Application of provisions relating to distribution of revenues while a Proclamation of Emergency is in operation.

355 Duty of the Union to protect States against external aggression and internal disturbance.

356 Provisions in case of failure of constitutional machinery in States.

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358 Suspension of provisions of article 19 during emergencies.

359 Suspension of the enforcement of the rights conferred by Part III during emergencies.

359A [Repealed.]

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361 Protection of President and Governors and Rajprakukhs.

361A Protection of publication of proceedings of Parliament and State Legislatures.

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363A Recognition granted to Rulers of Indian States to cease and privy purses to be abolished.

364 Special provisions as to major ports and aerodromes.

365 Effect of failure to comply with, or to give effect to, directions given by the Union.

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367 Interpretation.

PART XX: AMENDMENT OF THE CONSTITUTION

368 Power of Parliament to amend the Constitution and procedure therefor.

PART XXI: TEMPORARY, TRANSITIONAL AND SPECIAL PROVISIONS

369 Temporary power to Parliament to make laws with respect to certain matters in the State List as if they were matters in the Concurrent List.

370 Temporary provisions with respect to the State of Jammu and Kashmir.

371 Special provision with respect to the States of Maharashtra and Gujarat.

371A Special provision with respect to the State of Nagaland.

371B Special provision with respect to the State of Assam.

371C Special provision with respect to the State of Manipur.

371D Special provisions with respect to the State of Andhra Pradesh.

371E Establishment of Central University in Andhra Pradesh.

371F Special provisions with respect to the State of Sikkim.

371G Special provision with respect to the State of Mizoram.

371H Special provision with respect to the State of Arunachal Pradesh.

371-I Special provision with respect to the State of Goa.

371J Special provision with respect to the State of Karnataka.

372 Continuance in force of existing laws and their adaptation.

372A Power of the President to adapt laws.

373 Power of President to make order in respect of persons under preventive detention in certain cases.

374 Provisions as to Judges of the Federal Court and proceedings pending in the Federal Court or before His Majesty in Council.

375 Courts, authorities and officers to continue to function subject to the provisions of the Constitution.

376 Provisions as to Judges of High Courts.

377 Provisions as to Comptroller and Auditor-General of India.

378 Provisions as to Public Service Commissions.

378A Special provision as to the duration of Andhra Pradesh Legislative Assembly.

379-391 [Repealed.]

392 Power of the President to remove difficulties.

PART XXII: SHORT TITLE, COMMENCEMENT, AUTHORITATIVE TEXT IN HINDI AND REPEALS

393 Short title.

394 Commencement.

394A Authoritative text in the Hindi language.

395 Repeals.

Schedules:

- Schedules are lists in the Constitution that categorize and tabulate bureaucratic activity and policy of the Government.

- **First Schedule** (Articles 1 and 4)- This lists the states and territories of India, lists any changes to their borders and the laws used to make that change.

- **Second Schedule** (Articles 59, 65, 75, 97, 125, 148, 158, 164, 186 and 221)- This lists the salaries of officials holding public office, judges, and Comptroller and Auditor-General of India.

- **Third Schedule** (Articles 75, 99, 124, 148, 164, 188 and 219)—Forms of Oaths – This lists the oaths of offices for elected officials and judges.

- **Fourth Schedule** (Articles 4 and 80) – This details the allocation of seats in the Rajya Sabha (the upper house of Parliament) per State or Union Territory.
- **Fifth Schedule** (Article 244) – This provides for the administration and control of Scheduled Areas and Scheduled Tribes (areas and tribes needing special protection due to disadvantageous conditions).
- **Sixth Schedule** (Articles 244 and 275)— Provisions for the administration of tribal areas in Assam, Meghalaya, Tripura, and Mizoram.
- **Seventh Schedule** (Article 246)—The union (central government), state, and concurrent lists of responsibilities.
- **Eighth Schedule** (Articles 344 and 351)—The official languages.

- **Ninth Schedule** (Article 31-B)—Articles mentioned here are immune from judicial review.
- **Tenth Schedule** (Articles 102 and 191)—"Anti-defection" provisions for Members of Parliament and Members of the State Legislatures.
- **Eleventh Schedule** (Article 243-G)—*Panchayat Raj* (rural local government).
- **Twelfth Schedule** (Article 243-W)—Municipalities (urban local government).

□ **System of government:**

- The basic form of the Union Government envisaged in the Constitution

➤ **Federal Structure**

- Three subject lists, the Union list, the State list, and the Concurrent list, define the legislative powers of each level of government.
- The Union government reserves the right to make laws in areas specified on the Union list, the state governments allowed to make laws in areas specified on the State list.

Parliamentary Democracy

- The President of India is elected by the Parliament and State Legislative Assemblies, and not directly by the people. The President is the head of state, and all the business of the Executive and Laws of the Parliament are in his/her name
- The Prime Minister and the Council of Ministers exercise their offices only as long as they enjoy a majority support in the Lok Sabha, the lower house of the Parliament, which consists of members directly elected by the people
- A similar structure is present in States, where the directly elected Legislative Assembly enjoys control over the Chief Minister and the State Council of Ministers

Independent Judiciary

- The Judiciary of India is free of control from either the executive or the Parliament.
- The judiciary acts as an interpreter of the constitution, and as an intermediary in case of disputes between two States, or between a State and the Union.
- An act passed by the Parliament or a Legislative Assembly is subject to judicial review, and can be declared unconstitutional by the judiciary if it feels that the act violates the provisions of the Constitution.

Salient Features of the constitution of India

1. Longest Written Constitution
2. Best Constitution
3. A Written and Rigid Constitution
4. Based on Adult Suffrage
5. It makes India a Sovereign Democratic Republic
6. It gives India a Federal Policy
7. It establishes Parliamentary form of Govt. in India

8. Fundamental Rights

9. Fundamental Duties

10. Directive principles of State Policy

11. Secular Democracy



6.What Is The constitution of India?

Both features are listed below:-

Federal Features-

1. Supremacy of the Constitution,
2. Division of power between the Union (central Governments) and State, and
3. The existence of an independent judiciary in the Indian Constitution.

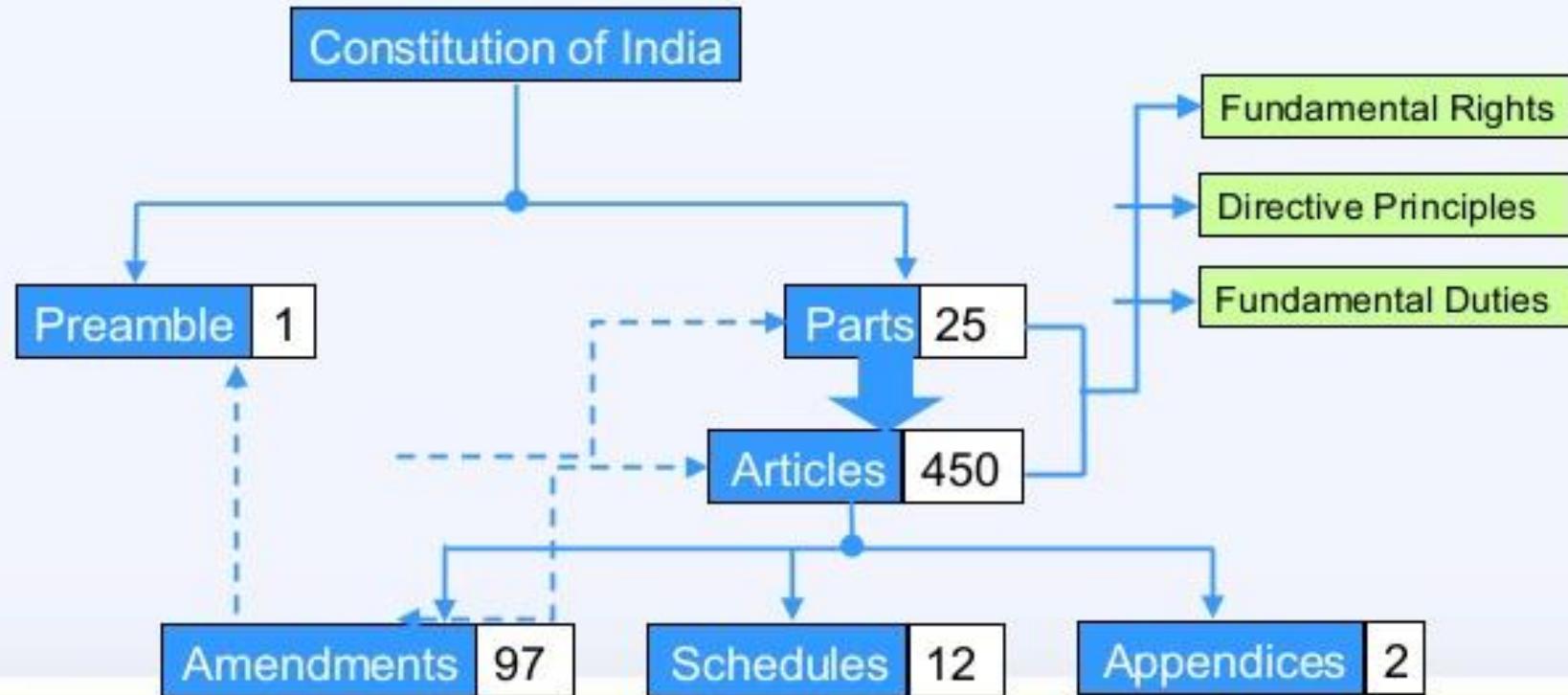
Unitary Features-

1. Single Citizenship
2. Single Constitution
3. Power of union to override on the state matters
4. During emergency the system became virtually unitary
5. Changes in the names and boundaries of the states by the Parliament
6. Integrated Judiciary System
7. Centre appoints the Governors
8. Dependence of states on the centre for economic assistance and grants.



6.What Is The constitution of India?

(ii) Structure of Constitution of India:- The Constitution, in its current form (March 2011), consists of 1 preamble, 25 parts containing 450 articles, 12 schedules, 2 appendices and 97 amendments to date. Although it is federal in nature it also has a strong unitary bias.





6.What Is The constitution of India?

Different elements of constitution are described as follows:-

1. **Preamble (1)** - The Preamble to the Constitution of India is a brief introductory statement that sets out the guiding purpose and principles of the document.
2. **Parts (25)** – The individual Articles of the Constitution are grouped together into the following Parts:
 1. Part I – Union and its Territory
 2. Part II – Citizenship.
 3. Part III – Fundamental Rights.
 4. Part IV – Directive Principles of State Policy.
 5. Part IVA – Fundamental Duties.
 6. Part V – The Union.
 7. Part VI – The States.
 8. Part VII – States in the B part of the First schedule (Repealed).
 9. Part VIII – The Union Territories
 10. Part IX – The Panchayats.



6.What Is The constitution of India?

11. Part IXA – The Municipalities. (Part IXB – The Cooperative Societies -not effective yet)
 12. Part X – The scheduled and Tribal Areas
 13. Part XI – Relations between the Union and the States.
 14. Part XII – Finance, Property, Contracts and Suits
 15. Part XIII – Trade and Commerce within the territory of India
 16. Part XIV – Services Under the Union, the States.
 17. Part XIVA – Tribunals.
 18. Part XV – Elections
 19. Part XVI – Special Provisions Relating to certain Classes.
 20. Part XVII – Languages
 21. Part XVIII – Emergency Provisions
 22. Part XIX – Miscellaneous
 23. Part XX – Amendment of the Constitution
 24. Part XXI – Temporary, Transitional and Special Provisions
 25. Part XXII – Short title, date of commencement, Authoritative text in Hindi and Repeals
3. **Article (1-450)** - It is subcategory of different Parts in the constitution which contains detail information of the subject or the Title which an Article represents.



6.What Is The constitution of India?

Fundamental Rights are different from other rights available to us. While ordinary legal rights are protected and enforced by ordinary law, Fundamental Rights are protected and guaranteed by the constitution of the country.

The Constitution of India recognizes certain basic fundamental rights for every citizen of India, such as:-

- (a) Right to Equality
- (b) Right to Freedom
- (c) Right to Freedom of Religion
- (d) Right against Exploitation
- (e) Cultural & Educational Rights
- (f) Right to Constitutional Remedies





6.What Is The constitution of India?

Ordinary rights may be changed by the legislature by ordinary process of law making, but a fundamental right may only be changed by amending the Constitution itself. Besides this, no organ of the government can act in a manner that violates them.

Any infringement of fundamental rights can be challenged by any citizen of India in the court of law. The Constitution of India also prescribes some fundamental duties on every citizen in India.





6.What Is The constitution of India?

8. **Fundamental Duties (Part IV Article 51A)**- These Fundamental rights have been provided at the cost of some fundamental duties. These are considered as the duties that must be and should be performed by every citizen of India. These fundamental duties are defined as:

It shall be the duty of every citizens of India: -

- a. To abide by the Constitution.
- b. To uphold & protect the sovereignty, unity and integrity of India.
- c. To Cherish & follow the noble ideas which inspired our national struggle for freedom
- d. To defend the country & render national service when called upon to do so.
- e. To promote harmony & the spirit of common brotherhood.
- f. To value & preserve the rich heritage of our composite culture.
- g. To protect & improve the national environment.
- h. To develop the scientific temper, humanism and the spirit of inquiry and reform.
- i. To safeguard public property & to abjure violence.
- j. To strive towards excellence in all spheres of individual & collective activity, so that the nations constantly rises to higher levels of endeavor & achievement.



6.What Is The constitution of India?

9. **Directive Principles (Part IV- Article36-51)**- It provides the social and economic base of a genuine democracy. The classification of these are as follows-

1. Socio-economic Principles
2. Liberal Principles
3. Gandhian Principles
4. International principles

1. Socio-economic Principles

1. Article 38 of the Constitution of India shall endeavor to formulate such social system which will secure social, economic and political justice to all in all the spheres of life.
2. Article 39(a) the state shall try to formulate its policy in such a manner so as to secure adequate means of livelihood for all its citizens.
3. Article 39(b) the ownership of material resources would be controlled in such a manner so as to sub serve the common good.
4. Article 39(c) the economy of the state will be administered in such a manner so that wealth may not yet be concentrated in a few hands and the means of production may not be used against the public interest.



6.What Is The constitution of India?

5. Article 41 of the Indian Constitution, the State will work within the limits of its economic viability and progress, provide to the citizens the right to work, the right to education and general assistance in the event of unemployment, old age, disease and other disabilities.
6. Article 42 of the Indian Constitution, the state will make provisions for the creation of just and humane conditions of work. It will also ensure maternity relief.
7. Article 43 of the Indian Constitution, the state will ensure adequate wages, good life and rest to the laborers. The state will also endeavor to make available to the laborers various sociocultural facilities.

2. Liberal Principles

1. Article 44 of the Indian Constitution, the State shall endeavor to formulate and implement a Uniform civil-code for all the people living throughout the territory of India.
2. Article 45 of the Indian Constitution, the State shall endeavor to provide early childhood care and education for all the children until they complete the age of six years.
3. Article 47 of the Indian Constitution, the State shall strive to raise the level of nutrition and the standard of living. Thus, it will endeavor to improve upon the health of the people.
4. Article 48 of the Indian Constitution, the State shall strive to organize agriculture and husbandry on modern and scientific lines. It will also try to maintain and improve upon the breed of the animals.



6.What Is The constitution of India?

5. Article 50 of the Indian Constitution the state will try to separate the judiciary from the executive in the case of public service.

3. Gandhian Principles

1. Article 40, State will strive to organize Panchayats in villages and will endow them with such powers which enable them to act as units of self government.
2. Article 43, the state shall strive to develop the cottage industry in the rural areas both, on individual or cooperative basis.
3. Article 47, the state will strive to ban the consumption of wine, other intoxicating drinks and all such commodities which are considered injurious to health.
4. Article 48 reveals that State will ban slaughtering of cows, calves and other milk cattle.

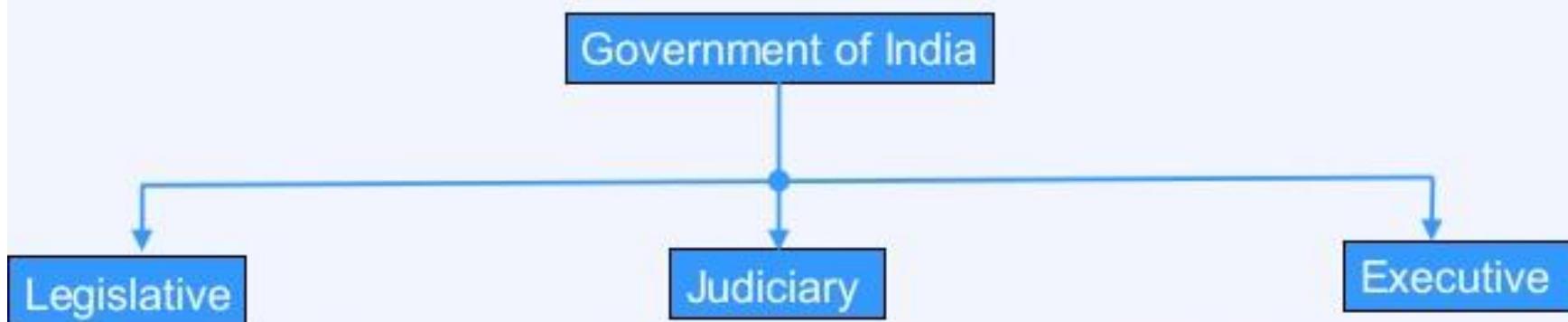
4. International principles

1. Article 51(a)- The State will strive to promote international peace and security.
2. Article 51(b)- The State will strive to maintain just and honorable relations among various states in the world.
3. Article 51(c)- The State will endeavor to promote respect for International treaties, agreements, and law.
4. Article 51(f)- The State will strive to settle international disputes by arbitration.



6.What Is The constitution of India?

(iii) Constitution of India and Government:- The Indian government is divided into three distinct but interrelated branches: **Legislative**, **Executive** and **Judiciary** – have to function within their own spheres demarcated under the Constitution. In other words, the doctrine of Separation of Powers has been implicitly recognized by the Indian Constitution.



Legislative

The Parliament of India =the President of India + the two Houses Lok Sabha (House of the People) and Rajya Sabha (Council of States).

Judiciary

The Supreme Court of India consists of a Chief Justice and 30 associate justices

Executive

The President of India, Vice President, Cabinet, executive departments and agencies.



6.What Is The constitution of India?

(iv) The Basic Principles of the Constitution of India:-

A careful study of the Constitution will show that there are at least eight basic principles which are embodied in it and which form the foundation of the political system in India. These are:

- (1) Popular sovereignty,
- (2) Socialism,
- (3) Secularism,
- (4) Fundamental rights,
- (5) Directive Principles of State Policy,
- (6) Judicial independence,
- (7) Federalism and
- (8) Cabinet government.



6.What Is The constitution of India?

(v) Procedure of Amendments of the Constitution of India:-

The basic structure of the Constitution is unchangeable and only such amendments to the Constitution are allowed which do not affect its basic structure or rob it of its essential character.

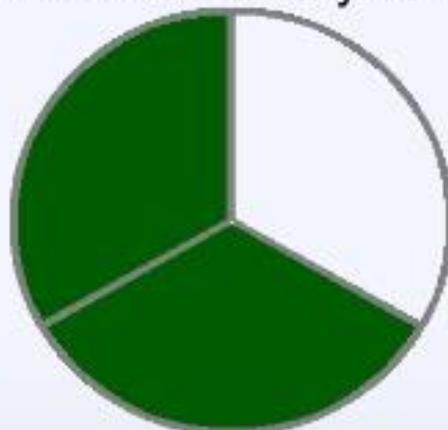
1. **By simple majority of the Parliament:** Amendments in this category can be made by a simple majority of members present and voting, before sending them for the President's assent.
2. **By special majority of the Parliament:** Amendments can be made in this category by a two - third majority of the total number of members present and voting, which should not be less than half of the total membership of the house.
3. **By special majority of the Parliament and ratification** of at least half of the state legislatures by special majority. After this, it is sent to the President for his assent.



6.What Is The constitution of India?

An amendment to the “Constitution of India” is an extremely difficult affair, and normally needs at least “**two-thirds(2/3)**” of the Lok Sabha and Rajya Sabha to pass it.

However, the Constitution of India is one of the most frequently amended constitutions in the world. Many matters that would be dealt with by ordinary statutes in most democracies must be dealt with by constitutional amendment in India due to the document's extraordinary detail.





6.What Is The constitution of India?

(vi) Checks and Balances:-

The Indian Supreme Court and Election Commission are recognized as the bedrock of Indian democracy; these two bodies stand up to the enormous powers that the constitution invests in the central government in general and to the unbridled powers of the Indian prime minister in particular.

The checks and balances that are provided by the constitution also smooth out the strained relations between the central government and the states by limiting the central government's ability to interfere in the states' affairs. Usually, either the state government or a political party may file an appeal or a writ petition in the Supreme Court against a policy or practice of the union or a state.





6.What Is The constitution of India?

Although India's constitution follows the British parliamentary system, it is the constitution and not the parliament of India that reigns supreme. As in the United States, the Indian courts interpret the constitution and adjudicate the laws passed by the parliament.

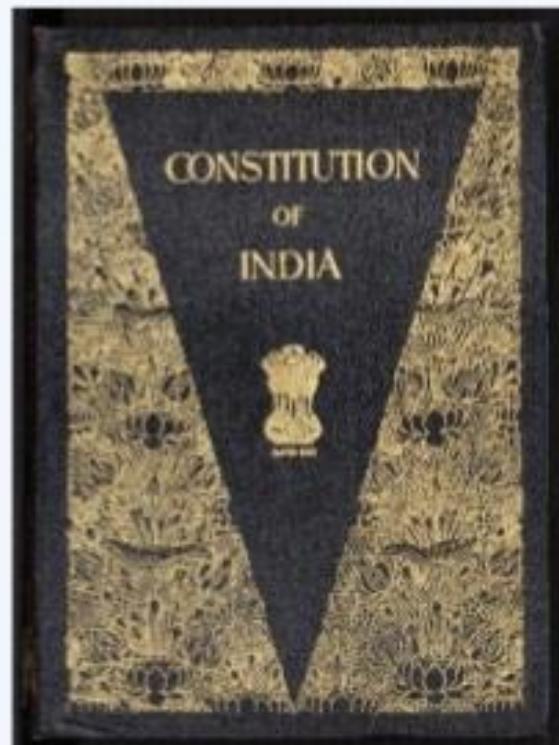
Although the parliament has the authority to amend the constitution, India's courts have made sure that the parliament does not change its fundamental structure, which guarantees economic opportunities, social justice, and religious and political freedom to all its citizens. Although political corruption and coercion are rampant in India—as they are in other developing countries—the courts are judiciary guarantors of India's freedom from oppression.





CONTENTS

- 1.What Is Constitution Anyway?
- 2.Why Do We Need Constitution?
- 3.The History of Constitution of India.
- 4.The Framing of Constitution of India
- 5.The Preamble to Constitution of India.
- 6.What Is The constitution of India?
- 7.Main Characteristics of Constitution of India
- 8.Conclusion



The First Book of Constitution of India is Located at Parliament Library Building, New Delhi, India.



7. Main Characteristics of Constitution of India.

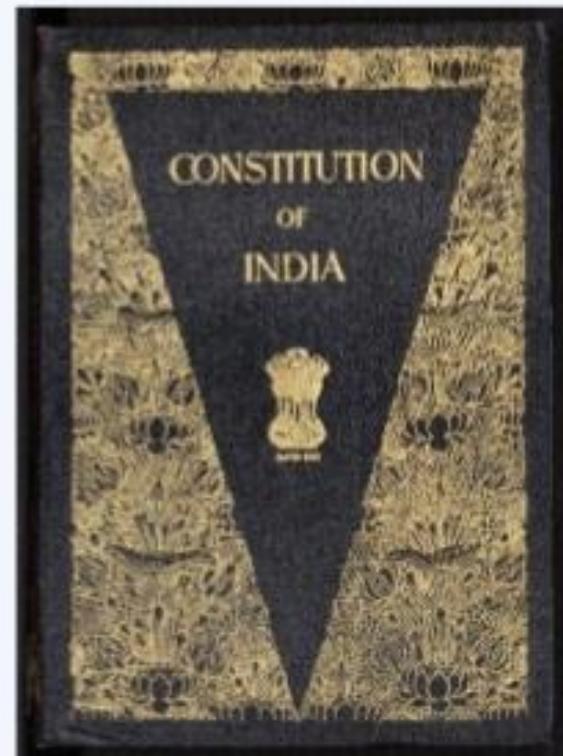
The Constitution of India has some distinct and unique features as compared to other constitutions to the world. As Dr. B.R. Ambedkar, the Chairman of the Drafting Committee puts it, the framers had tried to accumulate and accommodate the best features of other constitutions, keeping in view the peculiar problems and needs of our country. Main Characteristics of Constitution of India are:-

1. Longest written constitution.
2. Partly Rigid and Partly Flexible
3. A Democratic Republic
4. Parliamentary System of Government
5. A Federation
6. Fundamental Rights
7. Directive Principles of State Policy
8. Fundamental Duties
9. Secular State
10. An Independent Judiciary
11. Single Citizenship



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8. Conclusion

A Constitution symbolizes independence of a country. Framework and structure for the governance of a free country are provided in the Constitution. The Constituent Assembly prepared the draft of the Constitution by keeping the 'Objectives Resolution' as the backdrop which reflected the aspirations of the people of India.

The framing of the Constitution was completed on November 26, 1949 when the Constituent Assembly formally adopted the new Constitution. The Constitution came into force with effect from January 26, 1950.

The Constitution begins with a Preamble which declares India to be a Sovereign, Socialist, Secular, Democratic, Republic. The Preamble also mentions the goals of securing justice, liberty and equality for all its citizens and promotion of national unity and integrity on the basis of fraternity among the people assuring dignity of the individual.



8. Conclusion



Picture shows the pages from the Constitution of India, at the **PARLIAMENT MUSEUM**, Parliament Library Building, New Delhi.

**PARLIAMENT
MUSEUM** : A high-tech story-telling Museum depicting the continuum of the democratic heritage in India has been dedicated to the Nation by **Dr. A P J Abdul Kalam, President of India** on 14th August 2006.



8. Conclusion

The Constitution of India has several distinctive features. It is the lengthiest Constitution in the world and it is a combination of rigidity and flexibility. The Constitution provides for a quasi-federal (It means a federal set up where despite having two clear sets of government – central and the states, more powers are given to the Central Government.) set up with a strong centre.

There is a clear division of powers between the Centre and the States. The Supreme Court of India, is the apex court of India which will resolve the disputes between the centre and state or between the states.

India has a parliamentary democracy. The Council of Ministers headed by the Prime Minister enjoys the real powers and is responsible to the Parliament. The Indian Constitution provides for Fundamental Rights which are justifiable. Ten Fundamental Duties have also been added to the Constitution. The Directive Principles of State Policy give a concrete shape to the welfare concept.



8. Conclusion

It is time to undertake a study of Indian Federalism with a view to valuate the trends, frictions and difficulties which have developed in the area of inter-governmental relations and to seek to evolve ways and means to meet the challenging task of making the Indian federation a more robust, strong and workable system so that the country may meet the tasks of self-improvement and development.

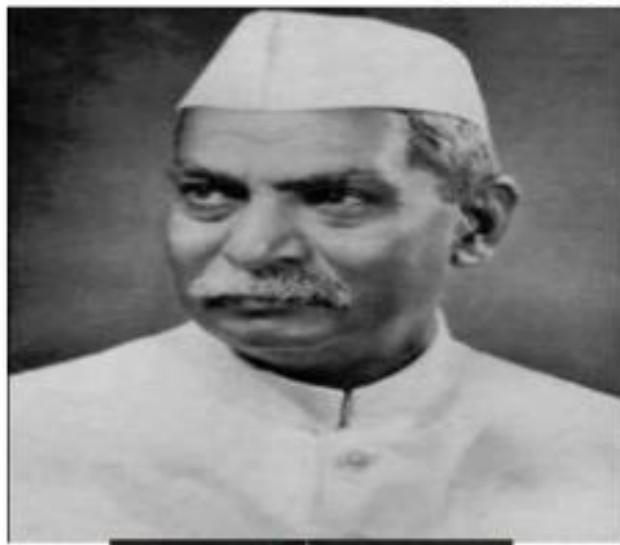
The responsibility lies on not only the jurists and policy framers, but also the citizens of the country to work in a harmonious manner for the development of the country.

Committees of Constituent Assembly Of India



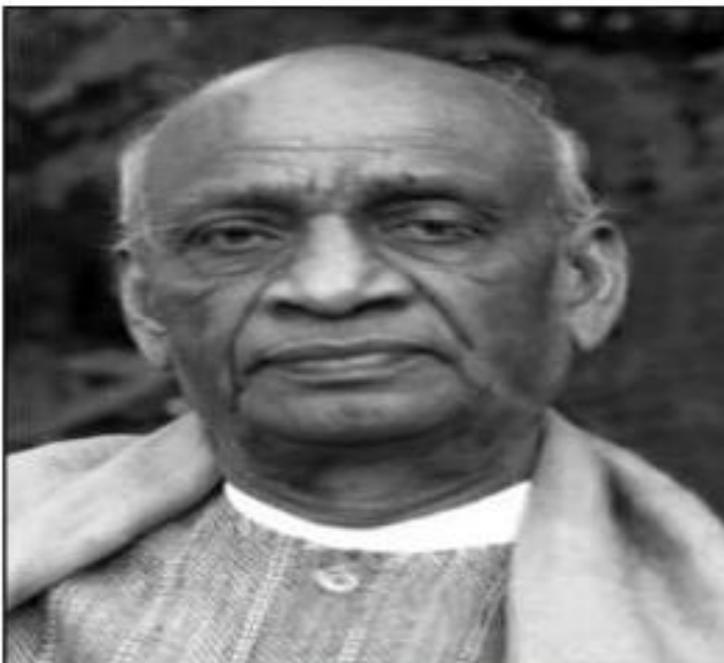
Dr Rajendra Prasad

3 Dec 1884–28 Feb 1963



1. President of **Constituent Assembly**
2. Chairperson of 4 Committees in **Constituent Assembly** :
 - A. i Committee on the Rules of Procedure
 - B. ii Steering Committee
 - C. iii Finance and Staff Committee
 - D. iv Ad hoc Committee on the National Flag
3. First President of India
4. The longest-serving President, as the only president to serve two terms in office.
5. Bharat Ratna

Sardar Vallabh Bhai Patel



- 31 October 1875 – 15 December 1950
- 1. Chairperson: Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas(Constituent Assembly)
- 2. Known as Iron Man of India for uniting 565 self-governing princely states
- 3. First Home Minister and Deputy Prime Minister of India
- 4. Bharat Ratna 1991
- 5. Patron saint of India's civil servants
- 6. 31 October his birthday , known as the Rashtriya Ekta Diwas
- 7. The Statue of Unity dedicated to Sardar Patel

Jawaharlal Nehru



- Chairperson of 3 committees of Constituent Assembly
- 1States Committee
2Union Powers Committee
- 3Union Constitution Committee
- First PM of India
- Bharat Ratna

Dr B R AMBEDKAR



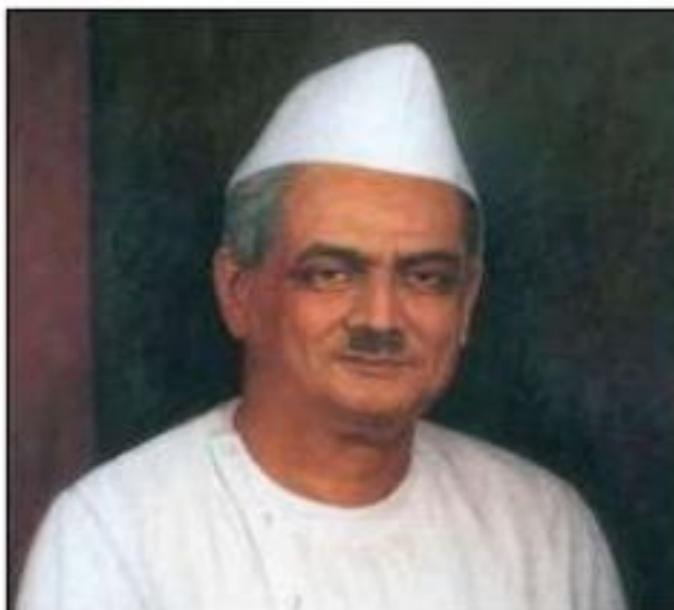
- Chairperson :Drafting Committee of **Constituent Assembly**
- First Law minister of India
- Bharat Ratna

Gopinath Bardoloi



- Chairperson of North-East Frontier Tribal Areas and Assam Excluded & Partially Excluded Areas Sub-Committee (**Constituent Assembly**)
- Gopinath Bardoloi the then Governor of Assam Jayram Das Doulatram conferred him with the title "Lokapriya" (loved by all).
- Bharat Ratna

G V Mavalankar



- popularly known as **Dadasaheb**
- Chairperson of Committee on the Functions of the **Constituent Assembly**
- the President (from 1946 to 1947) of the Central Legislative Assembly, then Speaker of the Constituent Assembly of India, and later the first Speaker of the Lok Sabha, the lower house of the Parliament of India

H C Mukharjee



Chairperson : Minorities
Sub-Committee
(**Constituent Assembly**)

- The Vice-President of
the Constituent
Assembly of India

K M MUNSHI



- Chairperson : Order of Business Committee
(Constituent Assembly)
- Founder Bharatiya Vidya Bhavan

A.V. Thakkar



Chairperson : Excluded
and Partially Excluded
Areas (Other than those
in Assam) Sub-
Committee (**Constituent
Assembly**)

- Mahatma Gandhi
would call him BAPA

B. Pattabhi Sitaramayya



- Chairperson: House Committee of **Constituent Assembly**
- author of ***The History of the Congress*** published in 1935

Alladi Krishnaswami Ayyar



- Chairperson: Credential Committee of **Constituent Assembly**
- Advocate General of Madras State from 1929 to 1944.

J B Kriplani



- Chairperson: Fundamental Rights Sub-Committee of **Constituent Assembly**
- Congress President for the crucial years around Indian independence in 1947

Sir B N Rao

Sir B N Rao : Legal Advisor
of the Constituent
Assembly



Prof K T Shah

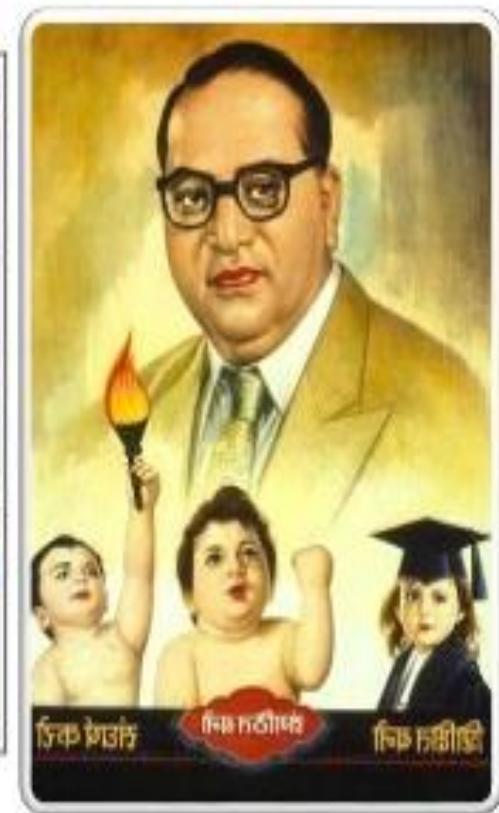
- Prof K T Shah: proposal for handwritten Original Constitution of India



Brief study about Dr. B. R. Ambedkar

DR B.R. AMBEDKAR

1891-1950





Early life



Born On

April 14

1891

Birth Place

Mhow

Indore, MP

Parents

Ramji Sakpal

Bhima Bai

HM-Army School

Housewife

Schooling

Govt High School
Satara

Lipminster High
School
(Matriculation)

Marriage

In 5th standard at
the age of 14

To Rama Bai(9yrs
old)

**Advance
Studies**

University
Newyork (M.A.)

Gray's Inn for Law
(Degree of Bar)

London School Of Economics And Political
Science (M.Sc. Economics)





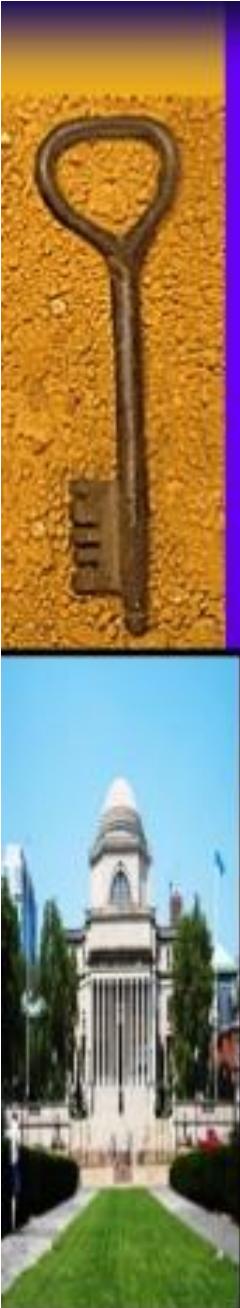
LIFE/SOCIAL BACKGROUND

- ◆ Born to Bhimabai Sakpal and Ramji on 14 April 1891 in Madhya Pradesh
- ◆ Mahar caste - considered untouchables - socio-economic discrimination - Fourteenth child of his parents
- ◆ Father was a Subedar in the Indian Army- Remarried
- ◆ Schooling @ Bombay 1908 in Elphinstone High School
- ◆ His father died in Bombay in 1912
- ◆ Spouses: Savita Ambedkar (m. 1948–1956), Ramabai Ambedkar (m. 1906–1935)
- ◆ Children: Bhaiyasaheb Ambedkar
- ◆ Suffered from health problems/diabetes and weak eyesight
- ◆ On 6 December, 1956 he died at his home in Delhi
- ◆ Buddhist-style cremation was organized for him



EDUCATION

- ◆ In 1908, Ambedkar got the opportunity to study at the Elphinstone College
- ◆ Scholarship – Sahyajirao Gayakwad ruler of Baroda,
- ◆ Political Science and Economics - graduated from the Bombay University in 1912
- ◆ Appointed as the Defense secretary to the King of Baroda
- ◆ Became Professor of political economy @ Sydenham College of Commerce and Economics in Bombay
- ◆ In 1920 - awarded honor of D.Sc by the London University
- ◆ University of Bonn, Germany, to study economics
- ◆ On 8 June, 1927, he was awarded a Doctorate by the University of Columbia
- ◆ Awards: 1990 - Bharat Ratna



Ambedkar's Books

- ❖ The Problem Of Rupee; Its Origin and Its Solution, 1923
- ❖ The Evolution Of Provincial Finance in British India, 1925
- ❖ Annihilation Of Caste, 1936
- ❖ Thoughts On Pakistan, 1946
- ❖ Ranade, Gandhi and Jinnah, 1943
- ❖ What Congress & Gandhi have done to Untouchables , 1945
- ❖ Who were the Shudras, 1946
- ❖ State and Minorities, 1947
- ❖ The Untouchables, 1948
- ❖ The following works were published after his demise in 1956-
 - ❖ The Rise and Fall of Indian Women, 1965
 - ❖ Dr. Ambedkar On Buddhism, 1982



SOCIAL PHILOSOPHY

- ◆ Spokesman: humanity - workers, small peasants and landless labourers
- ◆ Created a sense of self-respect and pride in them
- ◆ Dedicated his life to the cause of removal of untouchability
- ◆ Life-long fight for liberating - centuries-old habit and exclusion - social reforms as of right
- ◆ Total reorganization and reconstruction of the Hindu society on two main principles—equality and absence of casteism
- ◆ Fundamental human rights- equal rights of man & woman - dignity of the individual - better standards of life - peace and security in all spheres of human life
- ◆ Long-range response was a direct attack against the root cause



POLITICAL LIFE

- ◆ In July 1924 Ambedkar started his political career by establishing the **Bahishkrit Hitkarini Sabha** (The Depressed Classes Welfare Association) to raise the educational level and economic status of the depressed classes as well as to ventilate the hardships of these classes.
- ❖ Started his paper **Bahishkrit Bharat** and a weekly paper **Mooknayak** (Leader of the Dumb) to champion the cause of depressed classes in India.
- ❖ 1927- Nominated as a member of Bombay Legislative Council
- ❖ 1928- Appointed as professor of law in Govt Law College, Bombay
- ❖ **Represented untouchables** in Second and Third Round Table Conference, London
- ❖ 1932- Founded **All India Untouchability League (Harijan Sewak Sangh)**
- ❖ June 1935- Became the Principal and Professor of Jurisprudence in Bombay's Government Law College
- ◆ In 1936, founded the Independent Labor Party

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- ◆ In the 1937 elections to the Central Legislative Assembly his party won 15 seats
 - ◆ Ambedkar oversaw the transformation of his political party into the All India Scheduled Castes Federation
 - ◆ Appointed on the Defence Advisory Committee and the Viceroy's Executive Council as Minister for Labor
 - ◆ His appointment as free India's first, Law Minister and chairman of the committee responsible to draft a constitution
 - ◆ Founder/Co-Founder :
Buddhist Society of India, Independent Labour Party, Scheduled Castes Federation, Samata Sainik Dal



ECONOMIC PHILOSOPHY

- ◆ First Indian to pursue an doctorate in economics abroad
- ◆ Industrialization and agricultural growth
- ◆ Investment in agriculture as the primary industry of India
- ◆ National economic & social development- education - Public hygiene - community health -basic amenities
- ◆ DSc thesis "The problems of Rupee, its origin and solution (1923)" examines the causes for the Rupee's fall in value
- ◆ Importance of price stability over exchange stability
- ◆ Silver and gold exchange rates and their effect
- ◆ Loss of development caused by British rule
- ◆ In 1951, established the Finance Commission of India
- ◆ Opposed income tax for low-income groups
- ◆ Land Revenue Tax and excise duty policies to stabilize the economy



Political Thoughts

- ◆ Democratic system of government and power to the people
- ◆ Citizens have power in their own hands in democracy
- ◆ Democracy rests on four premises, where the citizen remains at the centre:
 - ◆ The individual is an end in itself
 - ◆ The individual has certain inalienable rights, which must be guaranteed to him by the Constitution
 - ◆ The individual shall not be required to relinquish any of his constitutional rights as a price of any privilege
 - ◆ The state shall not delegate power to private persons to govern others
- ◆ core of political thinking : Rights are protected not by law but by the social and moral conscience of society
- ◆ Social conscience - safeguard of all rights, fundamental or non-fundamental once rights are enacted in a law they are safeguarded, is unwarranted

- ◆ Democracy is essentially a form of society, a mode of associated living .
- ◆ The roots of democracy are to be searched in the social relationship. Political democracy cannot last unless there lies at the base of it social democracy.
- ◆ Social democracy is a way of life which recognizes liberty, equality and fraternity as the principles of life
- ◆ Unless there is social democracy, power to the people would remain a distant dream.
- ◆ Equality in society, equality before law and administration, constitutional morality, lack of tyranny of the majority and developing public conscience are conditions for the success of democracy in India.
- ◆ Equality is the original notion and respect for human personality is a reflection of it If equality is denied, everything else may be taken to be denied



- ◆ Absence of equality on the social and economic plane is a cause of contradictions resulted in a society based on the principle of graded inequality on the social plane which means elevation for some and degradation for others
- ◆ On the economic plane there are some in society who have immense wealth as against many who live in abject poverty
- ◆ To deny equality in social and economic life would be putting political democracy in risk.





Political Thoughts

- ◆ Social conscience - safeguard of all rights
- ◆ Democracy- form of society, a mode of associated living
- ◆ The roots of democracy- searched in the social relationship
- ◆ Political democracy depends base of it social democracy
- ◆ Social democracy- way of life - recognizes liberty, equality and fraternity as the principles of life
- ◆ Unless there is social democracy, power to the people would remain a distant dream
- ◆ Equality is the original notion - If it is denied, everything else may be taken to be denied
- ◆ Absence of equality on the social and economic plane is a cause of contradictions- Resulted in degradation for others
- ◆ On the economic plane - who have immense wealth as against many who live in abject poverty



Contribution in drafting of Indian Constitution

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- ❖ Ambedkar was elected as the Chairman of the Drafting Committee of the Constitution of independent India on 29 August 1947. There were seven members in the committee.
 - ❖ Ambedkar's problems began even before the task of drafting the constitution started. One of the members resigned, whose place was empty all the time, another person died and that place was also empty, one member lived in America, ultimately his place also remained empty, one member was busy with his political duties and could not spare time in the Assembly, one or two people were out of Delhi hence it was impossible for them to adjust in Delhi's cold weather. Consequently a situation arose that the entire responsibility for drafting the constitution came upon Ambedkar's shoulders.



- ◆ The Constitution of India is the supreme law of India. It lays down the framework defining fundamental political principles, establishes the structure, procedures, powers, and duties of government institutions, and sets out fundamental rights, directive principles, and the duties of citizens.
- ◆ It is the longest written constitution of any sovereign country in the world, containing 448 articles in 24 parts, 12 schedules and 97 amendments.
- ◆ Dr. B. R. Ambedkar is the Architect of the Indian Constitution.