

PURPOSE AND IMPORTANCE OF A CONSTITUTION:

A **constitution establishes government based on the rule of law and which is limited by law**. It thus provides a legal basis for Governmental operations and makes constitutional government possible. It therefore prevents anarchy or dictatorial government which knows no legal bounds. A constitution acts like a peace treaty.

The constitution forms the basic structure of any **government**: The constitution of any country is important because of the fact that it lays down all the legal and cultural aspects under which its people and the governmental bodies will be governed and that too when there are foreign interactions in the personal affairs.

A national constitution serves a number of important functions. In the first instance, it sets out the principles and values upon which the state is organised and governed. The ideals and aspirations provide the country with direction and a vision for the future, and prescribe the legitimate purposes or interest which state power is to be used.

Salient feature of India constitution:-

1. Longest constitution in the world.
2. Sovereignty resides in the people
3. Parliamentary form of Government.
4. Unique blend of rigidity and flexibility.
5. Fundamental Rights.
6. Directive principles of the state policy.
7. Quasi – federal in nature.
8. Adult suffrage.
9. Independence of Judiciary
10. Judicial Review.
11. Fundamental duties
12. Sovereign.
13. Democracy.
14. Republic.
15. Secular.
16. Single citizenship.
17. Uniformity in Basic Administration.
18. Revolutionary.
19. Lawyer's paradise.
20. Judicial Review and parliament sovereignty

Preamble of the Indian constitution

- A preamble is an introductory statement in a document that explains the document's **philosophy and objectives**.
- In a Constitution, it presents the **intention of its framers**, the **history behind its creation**, and the **core values and principles of the nation**.
- The preamble basically gives idea of the following things/objects:
 - **Source of the Constitution**
 - **Nature of Indian State**
 - **Statement of its objectives**
 - **Date of its adoption**

History of the Preamble to Indian Constitution

- The ideals behind the Preamble to India's Constitution were laid down by **Jawaharlal Nehru's Objectives Resolution**, adopted by the Constituent Assembly on January 22, 1947.
- Although not enforceable in court, the Preamble states the objectives of the Constitution, and acts as an aid during the interpretation of Articles when language is found ambiguous.

Components of Preamble

- It is indicated by the Preamble that the **source of authority** of the Constitution lies with the **people of India**.
- Preamble declares India to be a **sovereign, socialist, secular and democratic republic**.
- The objectives stated by the Preamble are to **secure justice, liberty, equality to all citizens and promote fraternity to maintain unity and integrity of the nation**.
- The date is mentioned in the preamble when it was adopted i.e. **November 26, 1949**.

Key words in the Preamble

1. We, the people of India
 2. Socialist
 3. Secular
 4. Democratic
 5. Republic
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Fundamental Rights:-

Fundamental rights are a group of rights that have been recognized by a high degree of protection from encroachment. These rights are specifically identified in a Constitution, or have been found under Due Process of law

Seven fundamental rights were originally provided by the Constitution – the **right to equality, right to freedom, right against exploitation, right to freedom of religion, cultural and educational rights, right to property and right to constitutional remedies.**

Equality

Equality is about **ensuring that every individual has an equal opportunity to make the most of their lives and talents.** ... Equality recognises that historically certain groups of people with protected characteristics such as race, disability, sex and sexual orientation have experienced discrimination.

- Natural Equality: ...
 - Social Equality: ...
 - Civil Equality: ...
 - Political Equality: ...
 - Economic Equality: ...
 - Legal Equality: ...
 - Equality of Opportunity and Education:
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Parliament and presidential form of government

Parliamentary System of Government

- There are **two executives**:
 - The nominal executive is the head of state e.g. President while the real executive is the Prime Minister, who is the head of government.
- In such a system, the role of president or monarch is primarily ceremonial and the Prime Minister along with the cabinet wields effective power.
- Countries with such a system include Germany, Italy, Japan, United Kingdom as well as Portugal.
- The Constitution of India provides for a parliamentary form of government, both at the Centre and in the States.
 - **Articles 74 and 75 deal** with the parliamentary system of government at the Union level and **Articles 163 and 164** contain provisions with regard to the States.
- **Executive is responsible** to the legislature for its policies and acts.

Presidential System of Government

- There is only **one executive**.
 - In this system, the President is both head of state and government, e.g. USA, South Korea etc.
 - The executive is **not responsible to the legislature** for its policies and acts, and is constitutionally independent of the legislature in respect of its term of office.
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President qualification status

[Article 58](#) of the [constitution](#) sets the principal qualifications one must meet to be eligible to the office of the president. A president must be:

- a [citizen of India](#)
- of 35 years of age or above
- qualified to become a member of the [Lok Sabha](#)

A person shall not be eligible for election as president if he holds any [office of profit](#) under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Governments.

Certain office-holders, however, are permitted to stand as presidential candidates. These are:

- The current [vice-president](#)
 - The governor of any state
 - A Minister of the Union or of any state (including [prime minister](#) and [chief ministers](#))^{[18]:72}
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Key words of indian constution:-

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Independence

Independence is a condition of a person, nation, country, or state in which residents and population, or some portion thereof, exercise self-government, and usually sovereignty, over its territory. The opposite of independence is the status of a dependent territory.

Imp india constitution days

Jan 26th - **Republic day** - It honours the date on which Constitution of India came into effect on 26th Jan, 1950.

Jan 26th - **International Customs day** - It recognises the role of custom officials and agencies in maintaining flow of goods across world's border. It started from 1953.

Jan 27th - **International Holocaust Remembrance day** - It was intentional action to destroy Europeans Jews during World War II. Nazis and its collaborators murdered six million Jews during 1941-1945. It was observed every Jan 27th every year since 2001.

Jan 30th - **World Martyr's day** - Jan 30th, 1948 Father of Nation, Mahatma Gandhi was murdered by Nathuram Godse in Birla House during evening Prayer. This incident was World Martyr's Day

Jan **World** - To Increase the Public awareness on Leprosy/Hansen's (Last - **Leprosy** disease. This day



