

The Constitution of India

Just as a school needs rules to run well, a country needs rules too. These are called laws. The fundamental (essential and main) laws for governing India are in the Constitution of India.

THE MAKING OF THE CONSTITUTION

When the British ruled India they made the laws for India. Indians fought to become free from British rule. Just before independence in 1946, a special assembly called the Constituent Assembly was formed. Its main task was to create a Constitution which would have laws for the people of independent India. It had men and women from all over India and all walks of life--doctors, lawyers, teachers, business people, farmers and many others. They discussed each part, each line and each word of the new Constitution. They took nearly 3 years to complete this work but eventually they created an excellent constitution for the new India.

Imagine that you are a member of the Constituent Assembly. Tick the points you might think about:

- Indians in British India were not important in their own country. This should never happen in independent India.
- Even if many Indians are poor and belong to backward sections of society, everyone must be given respect and be able to improve their lives.
- All Indians should decide what kind of government they want.

The writing of the Constitution, based on the discussions in the Constituent Assembly, was a very important task, and was given to a seven-member committee. Its chairman was Dr B.R. Ambedkar.

India began to follow the new constitution from 26 January 1950. This is why we celebrate Republic Day on 26 January every year.

Before Independence, though a large part of India was under British rule, some areas were governed by Indian rulers. After Independence these kingdoms became part of India. The new Constitution applied to the people of these areas as well.

Some important parts of the Constitution are the Preamble, the Directive Principles and the Fundamental Rights and Duties, about which you will learn more in this chapter.

THE PREAMBLE TO THE CONSTITUTION

The word 'preamble' means 'an introduction'. The Preamble to our Constitution has wonderful words. They tell us what kind of country the Constituent Assembly wanted India to be. This is why we need to understand the Preamble well. Read the Preamble on the next page. Then read the table that explains the meanings of the beautiful words in the Preamble.

GUIDING PRINCIPLES

To make sure that the ideas of the Preamble are put into practice, the Constitution has guidelines, or instructions, to help governments. These are called Directive Principles of State Policy. They help governments to decide what their policies (plan of action) should be. They also help judges to understand what the Constitution makers wanted for India.

There are several Directive Principles. Some are given in the box. The Directive Principles are not laws--they are only guidelines. Governments have tried to follow the Directive Principles when making laws for the country.

Some Directive Principles

- There should be equal pay for equal work for both men and women.
- Help should be given to people who are old, sick, disabled, unemployed or in any other serious need.
- Help should be given to the weaker and backward sections of our society so that they may improve educationally and economically.
- Nutrition and public health for Indian citizens should be improved.
- The environment, forests and wildlife of the country should be protected and improved.
- Monuments, places and objects of historic or artistic interest should be protected.

FUNDAMENTAL RIGHTS

India has great diversity in its population. The men, women and children of India are rich and poor, speak numerous different languages, belong to many different castes and religions and also live in various different regions. Our Constitution gives to all these citizens, six Fundamental Rights. The word 'fundamental' means 'essential and most important'; a right is something that you must have. Fundamental Rights are essential and important rights that people must have in a democracy.

Here are some important aspects of these six Fundamental Rights.

Right to Equality

- All citizens are equal before the law-no difference should be made between men and women, rich and poor, or between people who belong to different religions, castes or regions.
- Untouchability (the practice in the caste system where people belonging to some castes are considered to be untouchable) is abolished (ended completely) and practising it is forbidden.

Right to Freedom

- Freedom of speech and expression- people are free to speak or to express themselves through literature, art or drama, but this should not be hurtful to others.
- Protection of a person's life and freedom

Right to Education

In 2009 a law was made that gives all Indian children between the ages of 6 and 14 the right to free and compulsory education.

Right against Exploitation

Exploitation means to treat someone unfairly, especially making people work for no money or very little money.

- No child below the age of 14 years should be employed in any place that may be dangerous to health.
- No one can force people to work without payment or for very little payment.

Right to Freedom of Religion

- Citizens are free to follow any religion that they wish to.
- They are also free to talk about their religion.

Cultural and Educational Rights

- Every community has the right to preserve, protect and develop its own culture. Culture means a community's traditional way of doing things, their dress and food, their art, music, dance and literature, their language and their religion.
- Interests of citizens belonging to minority groups, including their right to set up schools and colleges, are protected. A minority group is a smaller group within a larger group.

Right to Constitutional Remedies

Remedy means a way to improve a difficult situation.

This right allows citizen to go to court if any of the other Fundamental Rights are being disregarded or taken away in any manner.

Though the Constitution guarantees Fundamental Rights to all citizens, we should not exercise our rights in such a way that the rights of other people are disregarded.

FUNDAMENTAL DUTIES

Fundamental Duties are the duties of Indian citizens towards their country. Some are:

1. to respect the Constitution, the national flag and the national anthem
2. to promote harmony and the spirit of common brotherhood amongst all the people of India
3. to value and preserve the rich heritage of our entire culture
4. to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures
5. to safeguard public property and to avoid violence.

The members of the Constituent Assembly had a dream about what kind of country India should become. It took three years to turn those dreams into India's main laws. This is why India's Constitution is considered by many people to be one of the best in the world.

REMEMBER

1. The Constitution contains the most important laws of the country.
2. The Preamble to the Constitution contains ideas about the kind of country India should be.
3. The Directive Principles of State Policy are guidelines for making government policies.
4. The Constitution guarantees six Fundamental Rights to all citizens.
5. The Constitution also requires all citizens to observe the Fundamental Duties.

Did you know

Two original copies of the Constitution were handwritten in Hindi and English. Every member of the Constituent Assembly signed these. They are kept in the library of the Indian Parliament.

