

VIKRANT

For CDS-1 2023 Exam

Lecture 03 Preamble (POLITY)



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Topics To Be Covered



1. A

P

2. B

3. C

4. D



What Is Preamble?



The Constitution of India

PREAMBLE

WE, THE PEOPLE OF INDIA,
having solemnly resolved to constitute India into a
SOVEREIGN SOCIALIST
SECULAR DEMOCRATIC REPUBLIC
and to secure to all its citizens:

JUSTICE, social, economic and political;
LIBERTY of thought,
expression, belief, faith and worship;

EQUALITY of status and of opportunity;
and to promote among them all
FRATERNITY assuring the dignity of the
individual and the unity and
integrity of the Nation;

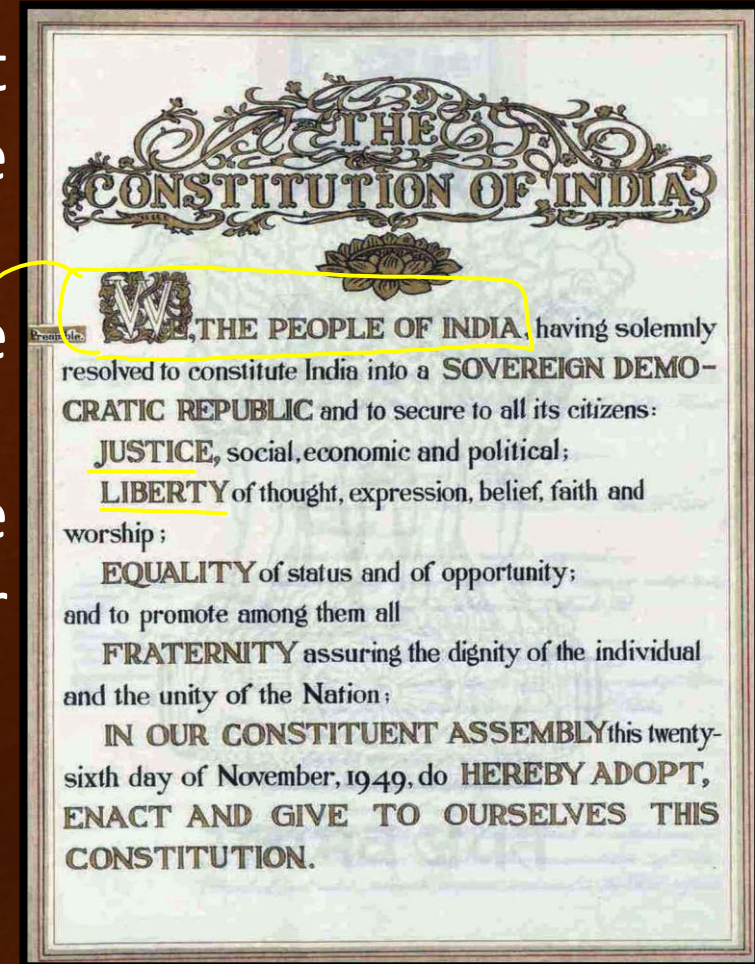
IN OUR CONSTITUENT ASSEMBLY
this twenty-sixth day of November, 1949, do
HEREBY ADOPT, ENACT AND GIVE TO
OURSELVES THIS CONSTITUTION.



What Is Preamble?



- It is a brief introductory statement that reflects the hopes and aspirations of the people.
- Preamble highlights the entire Constitution.
- It embodies the basic philosophy and the fundamental values on which our Constitution is based.





What Is Preamble?

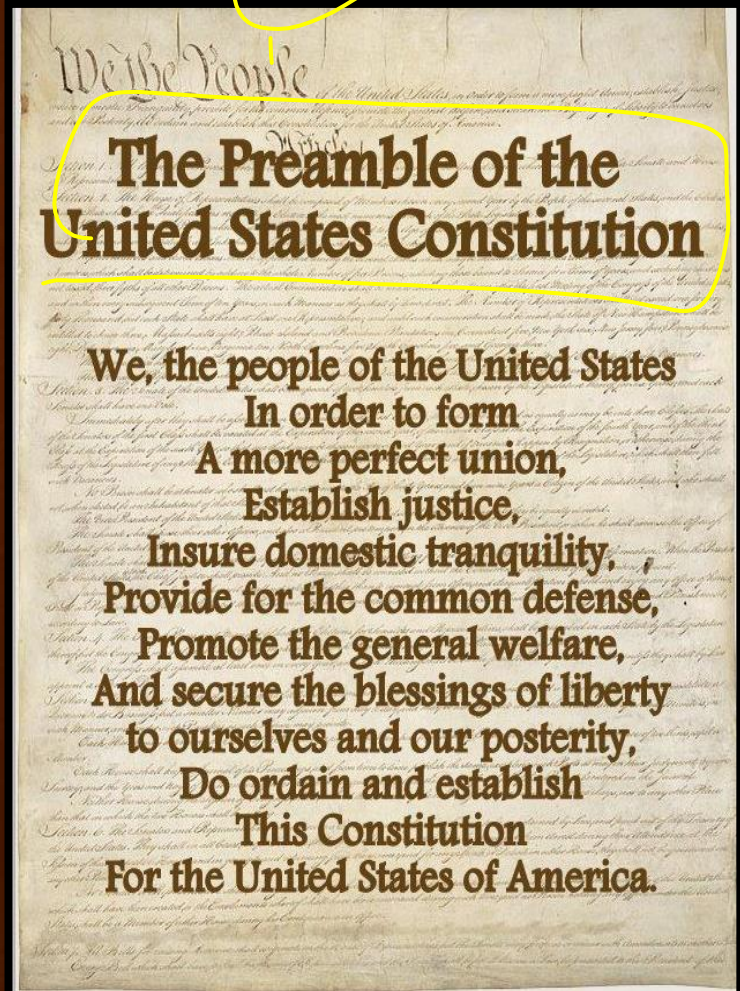


- Concept of Preamble is taken from American Constitution.
- Language of Preamble is taken from Australian Constitution.

2

USA

1





Objective Resolution



- It provides ^{ep}philosophy of Constitution.
- 13 December 1946 (Moved)
- 22 January 1947 (Adopted)

①

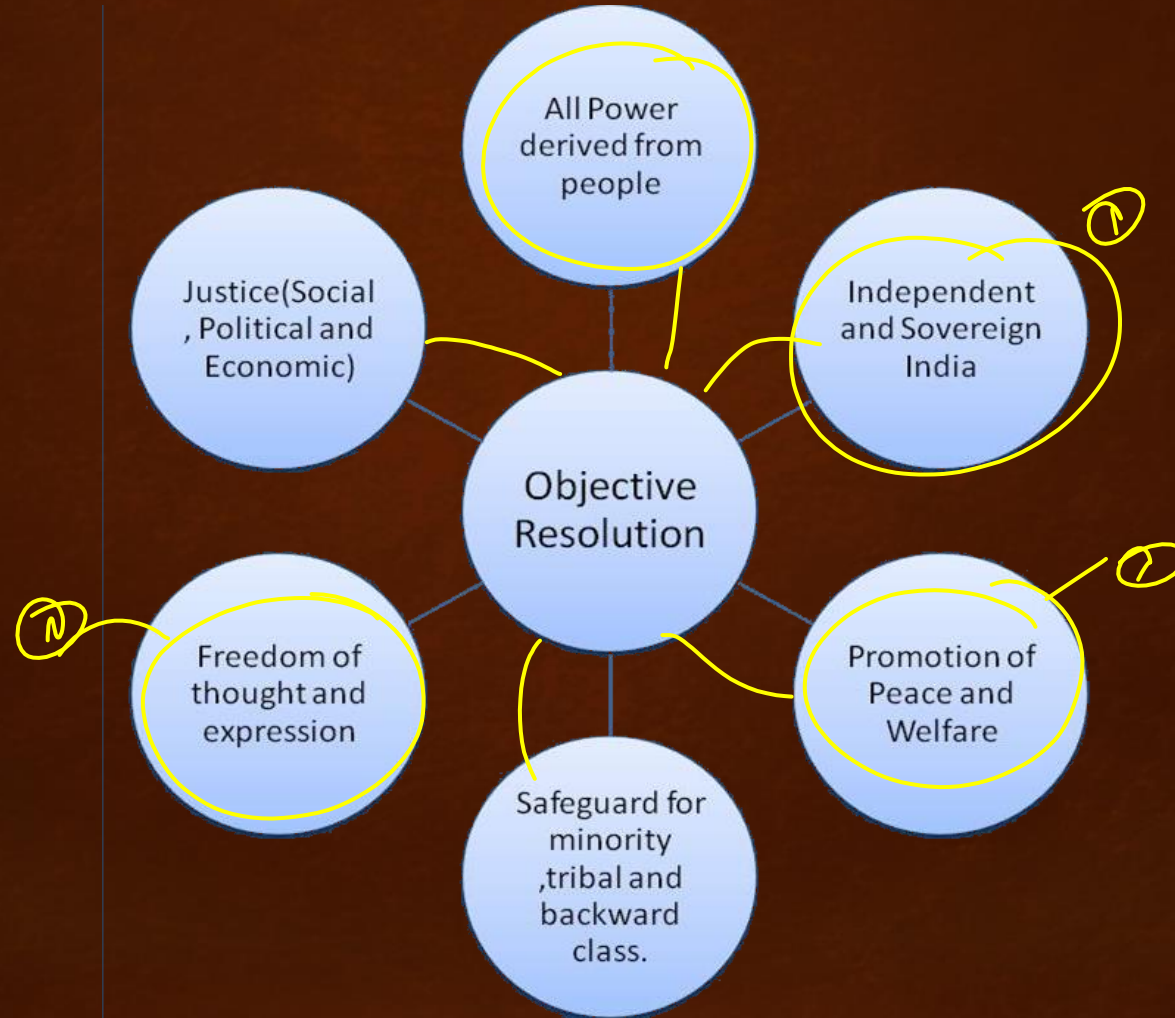
PASS



②



Objective Resolution






Preamble



- Source of Authority
- Nature of Indian State
- Objective of Constitution
- Date of Adoption



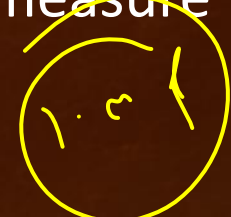
- The People of India
- Sovereign, Socialist, Secular, Democratic and Republic
- Justice, Liberty, Equality and Fraternity
- November 26 1949

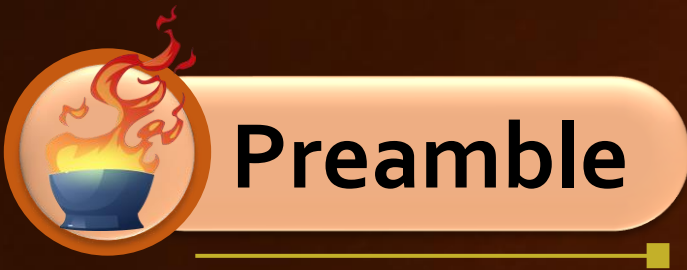
26 Nov 1949 15
26 JAN 1950



Preamble



- 'Identity card of the constitution' - **NA Palkhivala** 
- The preamble to our constitution expresses what we had thought or dreamt so long' - Sir **Alladi Krishnaswamy Iyer**
- 'The horoscope of our constitution' - **Dr KM Munshi** 
- 'It is the soul of the constitution. It is a key to the constitution. It is a jewel set in the constitution. It is a proper yardstick with which one can measure the worth of the constitution' - **Pandit Thakur Das Bhargava** 
- 'Key-note of the constitution' - **Sir Ernest Baker**



‘Preamble is the soul of our constitution, which lays down the pattern of our political society. It contains a solemn resolve, which nothing but a revolution can alter’ - Former Chief Justice of India, M Hidayatullah

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Keywords Of Preamble



- **WE THE PEOPLE OF INDIA**, having solemnly resolved to constitute India into a **SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC** and to secure to all its citizens:
- Justice, Social, Economic and Political; **LIBERTY** of Thought, Expression, Belief, Faith and Worship;
- EQUALITY of status and of opportunity;
- And to promote among them all **FRATERNITY** assuring the dignity of the individual and the unity and integrity of the Nation;
- **IN OUR CONSTITUENT ASSEMBLY** this twenty-sixth day of November, 1949, do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**



Keywords Of Preamble



People have power –

- “we the people of India” show that the people have ultimate power
- It is a democracy in the true sense, meaning that it is governed by, for, and by the people
- authority of the Constitution lies with the people of India

People



Keywords Of Preamble



■ SOVEREIGN

- **Sovereignty** is a governing body's complete right and control over itself, with no interference from outside sources or bodies.
- It means it has power to legislate in any subject
- India has its own Independent Authority.
- India is not a Dominion or Dependent state.
- Its free to conduct its own internal and external affairs
- Membership of the commonwealth for India or UN membership does not diminish its sovereignty



Keywords Of Preamble



SOCIALIST

- This term was added by 42nd Constitution Amendment act 1946
- Democratic Socialism not a Communist Socialism
- Democratic socialism is the Indian brand of socialism. Democratic socialism believes in a 'mixed economy,' in which the public and private sectors coexist. Indian socialism, according to the Supreme Court, aspires to eradicate poverty, ignorance, sickness, and inequity of opportunity.



Keywords Of Preamble



Economic System

Capitalist

Socialist

Marxist

Gandhian Socialism

(C) + (S)



Keywords Of Preamble



Ds Nakara vs Union of India (1983)



Marxist



Gandhian socialism



Keywords Of Preamble



SECULAR

- The Indian Constitution embodies the positive notion of secularism, which states that all religions in our country (regardless of their strength) enjoy the same status and support from the government.
- religion considered as a completely personal affair
- Term was added by 42nd Constitution Amendment act of 1976
- Right against discrimination based on religion, race, caste etc





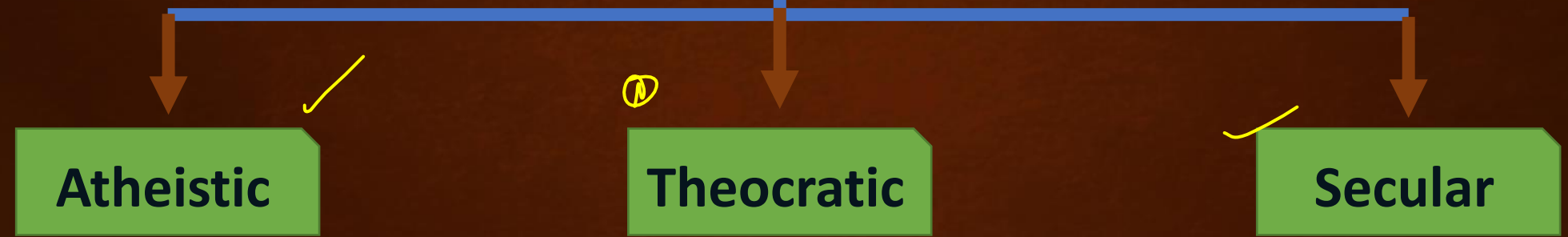
Keywords Of Preamble



SECULAR

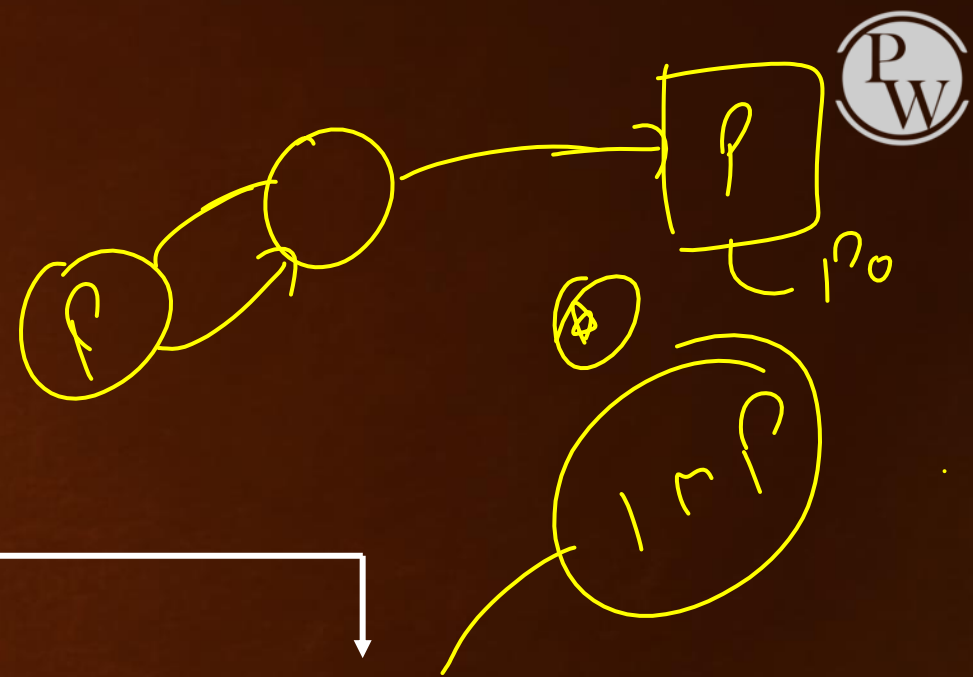
Types of State

92nd 1976





Keywords Of Preamble



DEMOCRATIC

Democracy

Direct

Indirect

People Participate Directly in policy making (referendum, plebiscite, initiate and recall)

Representative of people make policy



Keywords Of Preamble



DEMOCRATIC

- parliamentary democracy in which the executive is held accountable for all policies and actions by the legislature
- Article 326 of the Indian Constitution describes Universal Adult Suffrage 18/8
- The term democratic is used in the preamble in the broader sense embracing not only political democracy but also social and economic democracy
- “Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity as the principles of life.” - Dr BR Ambedkar 12/18



Keywords Of Preamble



REPUBLIC

HEAD OF THE STATE

Monarchy



Republic





Keywords Of Preamble



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JUSTICE

- Concept is taken from Russian Revolution (1917).



JUSTICE

Social

Economical

Political



Keywords Of Preamble



SOCIAL JUSTICE





Keywords Of Preamble



ECONOMIC JUSTICE





Keywords Of Preamble



POLITICAL JUSTICE

- All citizens have equal Political Rights.
- Part III and Part IV Insure Justice.
- Equal Access to all Political Offices.
- Equal Voice in Government.

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18





Keywords Of Preamble



LIBERTY



- Idea is Taken from French Revolution.
- Liberty comes from the Latin root word “liber” meaning freedom. It is the opportunity to develop oneself fully.
- difference between freedom and liberty.



Keywords Of Preamble



LIBERTY

THOUGHTS

EXPRESSION

BELIEF

FAITH

WORSHIP

Liberty does not mean license to do whatever one likes.



Keywords Of Preamble



EQUALITY

- Absence of privilege to any section of society
- Adequate opportunity to All without Discrimination
- Article 14, 15, 16, 17, 18 Ensure that
- The equality mentioned in the preamble embraces- civic, political and economic equality



Keywords Of Preamble



FRATERNITY

- Sense of brotherhood
- The Preamble emphasizes that fraternity must guarantee two things: human dignity and national unity and integrity.
- The word integrity was added through 42nd constitutional amendment act, 1976
- Single citizenship and fundamental duties (51A) 51(A) @
- Dr KM Munshi opined that 'dignity of the individual' signifies that constitution not only ensures material betterment and maintain a democratic set-up, but it also recognizes that the personality of every individual is sacred -

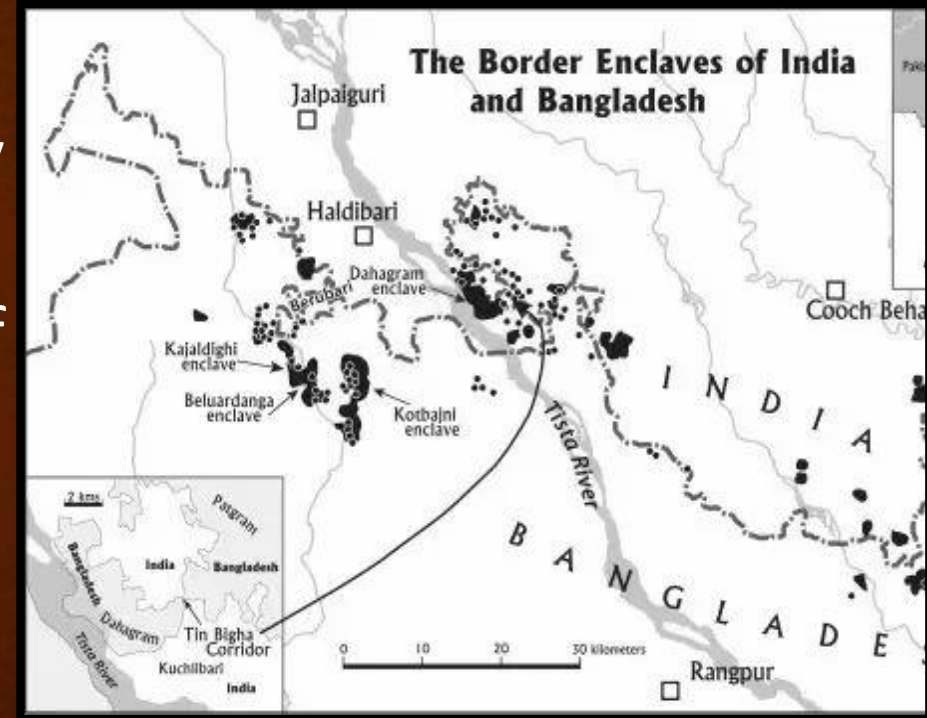
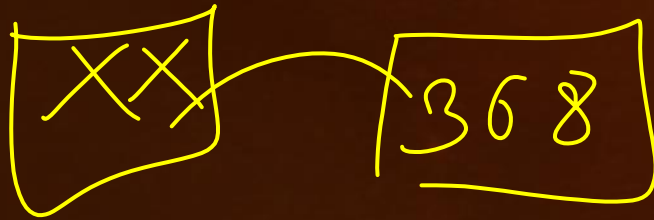


Cases Related To Preamble



BERUBARI UNION CASE 1960

- Preamble Can not amendable by Article 368.
- Its Important but not the part of Indian Constitution.





Cases Related To Preamble



KESHAWANAND BHARTI VS STATE OF KERALA 1973

7.6



13 JUDGES OF KESAVANANDA

MAJORITY



JUSTICE
S.M. SIKRI



JUSTICE
J.M. SHELAT



JUSTICE
K.S. HEGDE



JUSTICE
A.N. GROVER



JUSTICE
P.J. REDDY



JUSTICE HANS
RAJ KHANNA



JUSTICE A.K.
MUKHERJEE

MINORITY



JUSTICE
A.N. RAY



JUSTICE
D.G. PALEKAR



JUSTICE
K.K. MATHEW



JUSTICE
M.H. BEG



JUSTICE
S.N. DWIVEDI



JUSTICE Y.V.
CHANDRACHUD



Cases Related To Preamble



KESHAWANAND BHARTI VS STATE OF KERALA 1973

- Preamble Can be amended by Article 368 but can't change basic structure. Ⓟ
- 42nd CAA 1976 Added (Socialist, Secular, Integrity).
- Its Integral part of Indian Constitution.

Ⓟ

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Cases Related To Preamble



KESHAWANAND BHARTI VS STATE OF KERALA 1973

(1) supremacy of the Constitution



(2) separation of powers between the legislature, the executive and the judiciary

(3) ~~republican~~ and the democratic form of Government



(4) secular character of the Constitution





Cases Related To Preamble



KESHAWANAND BHARTI VS STATE OF KERALA 1973

(5) federal character of the Constitution

SC - C

(6) the dignity of the individual secured by the various fundamental rights and the mandate to build a welfare State contained in the directive principles

21(A)

(7) the unity and integrity of the nation

(8) parliamentary system



Cases Related To Preamble



LIC OF INDIA CASE 1995



- Preamble is Integral part of Indian constitution.



Cases Related To Preamble



1. The Preamble is neither a source of power to the legislature nor a prohibition upon the powers of the legislature

2. It is non-justiciable, that is, its provisions are not enforceable in courts of law.





Q 01

In which of the following cases Supreme Court held that 'The Preamble forms part of the Constitution'?

A



I. R. Coelho Case

B



Kesavananda Bharati Case

1973

C



Golak Nath Case

D



Indira Narayan Case



Q 02

Which among the following words is NOT written in the Preamble of our Constitution?

A



Sovereign

B



Socialist

C



Secular

D



Communist

D

X



Q 03

The Preamble to the Indian Constitution was inspired by the Preamble of Constitution of -

A



Germany

B



Japan

C



France

D



USA



Q 04

What is the legal nature of the Preamble of the Constitution?

A



It is enforceable.

B



It is not enforceable.

C



It may be enforced in special circumstances.

D

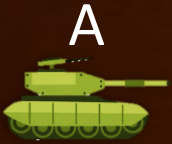


None of the above



Q 05

Which one of the following is NOT a part of the Preamble of the Indian Constitution?



A

Socialism



B

Democratic



C

Secularism



D

Federalism





Q 06

Which of the following words was inserted in the Preamble by the Constitution (42nd Amendment) Act, 1976?

A



Justice 7

B



Equality 7

C



Liberty 7

D



Socialist



Q 07

Which of the following statements about the Preamble is NOT correct?

A



The Preamble to the Indian Constitution is based on the 'Objectives Resolution' drafted by B.R. Ambedkar. X

B



It has been amended only once. 42nd 1976

C



The Preamble states that the Constitution derives its authority from the people of India.

D



It stipulates November 26, 1949 as the date of adoption of the Constitution



Q 08

With regard to the Constitution of India, which of the following statements is not correct?

A



The words - Socialist and Secular, were not originally part of the Constitution.

B



The Preamble states the objects of the Constitution of India.

C



The Preamble is enforceable in a Court of Law.

D

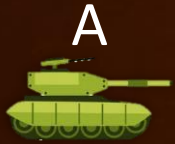


A Republic refers to the people as the source of all authority under the Constitution.



Q 09

The term 'Justice' in the Preamble of Indian Constitution does NOT embrace which of the following forms?



A

Social



B

Legal



C

Political



D

Economic





Q 10

Which among the following is NOT revealed by the "Preamble" of the Indian constitution?

A



Date of adoption of the Constitution.

B



Nature of Indian State.

C

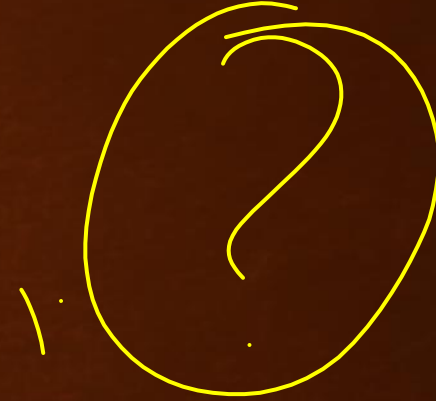


Date of enforcement of the Constitution.

D



Source of authority of the Constitution.





Q 11

Which of the following terms in our preamble means behaving as if we are members of the same family?

A



Justice ✓

B



Democracy ✓

C



Fraternity ✓


D





Equality ✓




Q 12 When was the Preamble to the India Constitution last amended?

A
 2013

B
 1976

C
 1982

D
 1991

1976

42nd

min

3

Once

42nd 1976



Q 13

In the context of polity, which one of the following would you accept as the most appropriate definition of liberty?

A



Protection against the tyranny of political rulers.

B



Absence of restraint.

C



Opportunity to do whatever one likes.

D



Opportunity to develop oneself fully.





Q 14

The terms Liberty, Equality and Fraternity used in the Preamble of the Constitution of India are inspired from which revolution?

A



Russian Revolution

B



Chinese Revolution

C



French Revolution

D



American war of independence





Q 15 The Preamble to the Constitution of India is -

A



A part of the Constitution but has no legal effect.

B



Not a part of the Constitution and has no legal effect either.

C

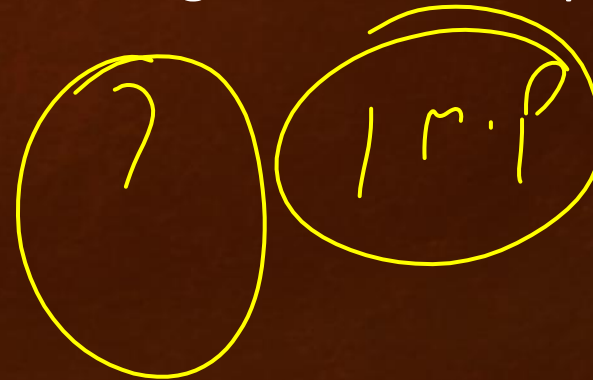


Part of the Constitution and has the same legal effect as any other part.

D



A part of the Constitution but has no legal effect independently of other parts.





Q 16

The mind of the makers of the Constitution of India is reflected in which of the following?

A



The Preamble

B



The Fundamental Rights

C



The Directive Principles of State Policy

D



The Fundamental Duties



Q 17

'Economic Justice' the objective of the Constitution has been one of the Indian provided in -

A



The Preamble and Fundamental Rights.

B



The Preamble and the Directive Principles of State Policy.

C



The Fundamental Rights and the Directive Principles of State Policy.

D



None of the above

?

VANDE MAATRAM

