



SANJAY GHODAWAT INSTITUTE

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A
REPORT
ON
“ESSCENCE OF INDIAN CONSTITUTION”

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Index

Sr.No.	Subject	Page No
1.	Acknowledgement	5
2.	Introduction to Indian Constitution	6
3.	Historical Background	7
4.	Making of the Constitution	8
5.	Preamble	9
6.	Features of Indian Constitution	10
7.	Fundamental Rights	11
8.	Directive Principles	12
9.	Fundamental Duties	13
10.	Union and State Government	14
11.	Role of Judiciary	15
12.	Local Administration and Self Governance	16
13.	Role of Election Commission in Indian Democracy	17
14.	Constitutional values	18
15.	Importance of Engineers	19
16.	Conclusion	20



Acknowledgment

I sincerely acknowledge India, a nation rich in diversity, culture, and heritage, which stands as a beacon of democracy in the world. The Indian Constitution, with its profound vision and guiding principles of justice, liberty, equality, and fraternity, ensures that every citizen can enjoy their rights while fulfilling their responsibilities. I am grateful for the wisdom of our founding leaders, whose efforts have created a framework that unites millions, promotes social harmony, and fosters progress across the country. India's journey as a democratic nation continues to inspire and uphold the values of fairness, inclusiveness, and respect for all its people.



Introduction to Indian Constitution

The Indian Constitution is the supreme law of India, laying down the framework that defines the political principles, powers, and duties of the government. It was adopted on 26th January 1950, establishing India as a sovereign, socialist, secular, and democratic republic. The Constitution ensures justice, liberty, equality, and fraternity for all citizens and protects their fundamental rights while outlining their duties.

- The Indian Constitution is the longest written constitution in the world, providing a comprehensive framework for governance.
- It was drafted by the Constituent Assembly under the leadership of Dr. B.R. Ambedkar and came into effect on 26th January 1950.
- The Constitution declares India as a sovereign, socialist, secular, and democratic republic.
- It lays down the structure, powers, and responsibilities of the legislature, executive, and judiciary.



Historical Background

The idea of a written constitution for India emerged during the British colonial period, especially in the early 20th century, as Indian leaders sought greater self-governance. After India gained independence on 15th August 1947, there was a pressing need for a comprehensive legal framework to unify the diverse country under democratic principles.

The Constituent Assembly of India was formed in 1946 under the leadership of Dr. B.R. Ambedkar, who became the chairman of the drafting committee. The Assembly worked for 2 years, 11 months, and 18 days to draft the Constitution, incorporating ideas from several sources, including the Government of India Act 1935, the British, Irish, and American constitutions, and other progressive constitutions around the world.

Finally, the Constitution was adopted on 26th November 1949 and came into effect on 26th January 1950, marking India as a sovereign, socialist, secular, and democratic republic. It provided a detailed framework for governance, fundamental rights, duties, and the Directive Principles of State Policy, laying the foundation for India's modern democracy.



Making of the Constitution

Formation of the Constituent Assembly (1946): The Constituent Assembly of India was formed under the Cabinet Mission Plan of 1946. It consisted of members elected by the provincial assemblies and included representatives from various communities, religions, and regions. The Assembly's main task was to draft a constitution for independent India.

Drafting Committee: On 29th August 1947, the Assembly appointed a Drafting Committee with Dr. B.R. Ambedkar as its chairman. Other members included N. Gopalaswami Ayyangar, Alladi Krishnaswami Ayyar, K.M. Munshi, and others. The committee studied various constitutions worldwide to prepare a draft suitable for India.

Debates and Discussions:

- The Constituent Assembly engaged in extensive debates on issues like fundamental rights, the structure of government, centre-state relations, official language, and minority rights. These discussions lasted almost three years, ensuring that the Constitution reflected the aspirations of all citizens.

Adoption of the Constitution:

- After thorough discussions and revisions, the Constitution was adopted on 26th November 1949. This date is celebrated as Constitution Day (Samvidhan Divas) in India.

Coming into Force:

- The Constitution officially came into effect on 26th January 1950, making India a sovereign, socialist, secular, and democratic republic. This date was chosen to honor the Purna Swaraj declaration of 1930.



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."

Explanation in brief:

- Declares India as Sovereign, Socialist, Secular, and Democratic Republic.
- Ensures Justice, Liberty, Equality, and Fraternity to all citizens.
- Serves as the guiding philosophy of the Constitution and reflects the aspirations of the Indian people.



Features of Indian Constitution

Written Constitution – India has a detailed, codified constitution in a single document.

Lengthiest Constitution – It is the longest written constitution in the world with 448 articles and 12 schedules.

Sovereign, Socialist, Secular, Democratic Republic – It declares India as a sovereign nation with democratic governance, promoting equality and secularism.

Fundamental Rights – Guarantees basic rights to all citizens such as equality, freedom, and protection of life and liberty.

Directive Principles of State Policy – Guidelines to ensure social, economic, and political justice in the country.

Federal Structure with Unitary Bias – Combines central and state powers, but the central government has overriding authority in emergencies.

Separation of Powers – Divides powers among the legislature, executive, and judiciary to ensure checks and balances.

Independent Judiciary – Ensures judicial review and protection of the Constitution and citizens' rights.



Fundamental Rights

Right to Equality (Articles 14–18) Ensures equality before law and prohibits discrimination on grounds of religion, caste, sex, or place of birth. Abolishes untouchability and titles of nobility. Right to Freedom (Articles 19–22) Guarantees freedom of speech, expression, assembly, association, movement, and profession. Includes protection against arbitrary arrest and preventive detention. Right against Exploitation (Articles 23–24) Prohibits human trafficking, forced labor, and child labor under 14 years of age. Right to Freedom of religion (Articles 25–28) Ensures freedom of conscience and the right to practice, propagate, and manage religion. Cultural and Educational Rights (Articles 29–30) Protects the rights of minorities to conserve their culture, language, and establish educational institutions. Right to Constitutional Remedies (Article 32). Empower citizens to move the Supreme Court or High Courts to enforce Fundamental Rights. These rights form the core of India's democratic framework, ensuring justice, liberty, and equality for all citizens.



Directive Principles

The Directive Principles represent the ideals and philosophy on which the Indian Constitution is based. They aim to establish social, economic, and political justice and guide the State policy-making. The DPSPs reflect the vision of the Constitution's framers for creating a welfare state. They serve as moral guidelines for the government to ensure the well-being of citizens. Though non-justiciable (not enforceable by courts), they are fundamental in the governance of the country. Together with Fundamental Rights, they help in achieving the balanced development of individual and society.

The Directive Principles of State Policy form the moral and philosophical foundation of the Indian Constitution. They express the ideals and goals that the nation must strive to achieve in order to establish social, economic, and political justice. The Directive Principles aim to create a welfare state where every citizen can live with dignity and equality. Although they are not enforceable by any court, they serve as essential guidelines for the government in making laws and formulating policies. Together with the Fundamental Rights, the Directive Principles help in achieving a balance between individual freedom and social justice, reflecting the true spirit and essence of the Indian Constitution.



Fundamental Duties

The **Fundamental Duties** were added to the Indian Constitution by the **42nd Amendment Act, 1976**, inspired by the Constitution of the former USSR. They serve as moral obligations of every citizen to promote a spirit of patriotism and uphold the unity of the nation. These duties remind citizens that rights come with responsibilities and that every individual must contribute to the nation's growth and harmony.



List of 11 Fundamental Duties (Article 51A)

Every citizen of India shall:

1. Abide by the Constitution and respect its ideals, the National Flag, and the National Anthem.
2. Cherish and follow the noble ideals that inspired the national struggle for freedom.
3. Uphold and protect the sovereignty, unity, and integrity of India.
4. Defend the country and render national service when called upon.
5. Promote harmony and brotherhood among all people of India, respecting the dignity of women.
6. Value and preserve the rich heritage of India's composite culture.
7. Protect and improve the natural environment, including forests, lakes, rivers, and wildlife, and have compassion for living creatures.
8. Develop a scientific temper, humanism, and the spirit of inquiry and reform.
9. Safeguard public property and abjure violence.
10. Strive towards excellence in all spheres of individual and collective activity.
11. (Added by the 86th Amendment, 2002) — Provide opportunities for education to children between the age of 6 and 14 years and ensure they attend school regularly.



Union and State Government

Union Government (Central Government):

The Union Government governs the entire country and is responsible for matters of national importance, such as defense, foreign affairs, currency, and communications. It consists of three main organs: President, Parliament (Lok Sabha and Rajya Sabha), and the Council of Ministers headed by the Prime Minister.

State Government:

Each state has its own government responsible for matters listed in the State List, such as police, public health, agriculture, and local administration. The State Government includes the Governor, State Legislature, and Council of Ministers headed by the Chief Minister.

Key Point:

India follows a federal system, meaning power is divided between the Union and State Governments, with certain subjects under the Union, others under the States, and some shared (Concurrent List).



Role of Judiciary

The judiciary in India acts as the guardian of the Constitution and ensures that the laws passed by the legislature are in accordance with constitutional provisions. It interprets laws, resolves disputes, and protects the Fundamental Rights of citizens against any violation by the state or individuals. The judiciary also acts as a check on the executive and legislature through judicial review, maintaining the balance of power among the three branches of government.

Additionally, it plays a crucial role in upholding justice, equality, and the rule of law, ensuring that every citizen receives fair treatment under the law.



Local Administration and Self Governance

Local Administration:

Local administration refers to the governance system at the district, block, and village levels, responsible for implementing government policies and delivering public services. It ensures law and order, manages public utilities, and addresses local development needs efficiently.

Self-Governance (Panchayati Raj and Urban Local Bodies):

Self-governance allows local communities to manage their own affairs through elected bodies like Panchayats in villages and Municipalities in cities. It promotes participatory democracy, empowering citizens to make decisions on development, infrastructure, and welfare programs.



Role of Election Commission in Indian Democracy

1. The Election Commission of India is an independent constitutional authority responsible for conducting free, fair, and impartial elections at the national, state, and local levels.
2. It prepares and updates electoral rolls, supervises the nomination of candidates, monitors election campaigns, and ensures that voting is conducted according to the law.
3. By guaranteeing transparent and credible elections, the Election Commission upholds the core principles of democracy, allowing citizens to freely choose their representatives.
4. It also enforces the Model Code of Conduct, resolves disputes related to elections, and protects the integrity of the electoral process, ensuring the government remains accountable to the people.



Constitutional values

Justice – Ensuring social, economic, and political fairness for all citizens.

Liberty – Protecting individual freedoms of thought, expression, belief, faith, and worship.

Equality – Guaranteeing equal rights and opportunities, prohibiting discrimination based on religion, caste, gender, or place of birth.

Fraternity – Promoting a sense of brotherhood, unity, and solidarity among all citizens.

Democracy – Upholding the power of the people to govern through elected representatives.

Secularism – Maintaining the separation of religion from the state while respecting all faiths equally.

Rule of Law – Ensuring that all citizens, including leaders, are subject to the law.

Human Dignity – Respecting and protecting the inherent worth of every individual.



Importance of Engineers

Driving Innovation: Engineers develop new technologies and solutions that improve our daily lives, from smartphones to renewable energy systems. **Infrastructure Development:** They design and build essential structures like roads, bridges, buildings, and transportation systems that form the backbone of society. **Problem Solving:** Engineers use scientific principles to analyze challenges and create practical, efficient solutions in diverse fields.

Economic Growth: By advancing industries such as manufacturing, IT, and construction, engineers contribute significantly to a country's economy. **Safety and Sustainability:** Engineers ensure that systems and structures are safe, reliable, and environmentally sustainable. **Improving Quality of Life:** Through innovations in healthcare, communication, energy, and technology, engineers enhance comfort, convenience, and accessibility for people worldwide.



Conclusion

The Indian Constitution is the cornerstone of India's democracy, ensuring justice, liberty, equality, and fraternity for all citizens. It provides a framework for governance, protects fundamental rights, and guides the nation toward progress, unity, and social harmony. By balancing the powers of the legislature, executive, and judiciary, it upholds the rule of law and strengthens India's identity as a sovereign, secular, and democratic republic.