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NDA

Study Material for Constitution

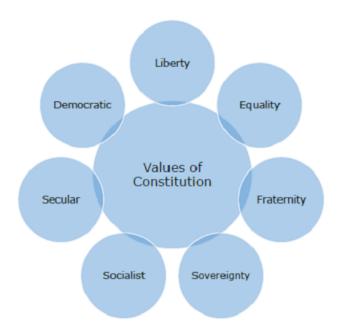
Simplifying **Government Exams**



PREAMBLE

- The Indian Constitution embedded the values in its Preamble. Therefore, the Preamble emanates lights that glitter all the articles of the Indian Constitution.
- The Preamble provides a short introductory statement of the basic values of the constitution to start with. In other words, it is the 'Soul of the Constitution.'
- It is the preamble that provides a standard to examine and evaluate any law and action of the government to judge its validity and sanctity.
- The term 'preamble' refers to the introduction or preface to the Constitution. It consists of the ideals, objectives and basic principles of the Constitution. It has great value and has been described as the 'key to the Constitution'.
- The Preamble to the Indian Constitution is based on the 'Objective Resolution', drafted by Jawaharlal Nehru, which was adopted by the Constituent Assembly on January 22, 1947.
- It has been amended once by the **42**nd **Constitutional Amendment Act of 1976**, which added three new words **socialist**, **secular and integrity**.
- The Preamble begins with the phrase 'We, the People of India'. Thus, we can say that the people of India are the source of our Constitution.
- The Preamble of our Constitution states that India is a Sovereign Socialist Secular Democratic Republic. Its aim is to secure to all Indian citizens Social, economic and political justice.
- 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.**
- The concept of **Liberty, Equality, and Fraternity** in our **Preamble** was adopted from the French Motto of the **French Revolution in 1789.**

Key Words in the Preamble



Liberty

- The Constitution provides every citizen a number of liberties and freedoms under Article 19 to 21, 21A, and 22. It is established that no unreasonable restrictions can be imposed upon citizens to regulate their freedom.
- Right to Freedom under Article 19 includes
 - o The right to freedom of speech and expression;
 - o The right to form association;
 - o The right to move freely;
 - o Reside in any part of the country; and
 - o The right to practice any profession, occupation, or business.

Equality

- The Constitution states that all citizens are equal before the law and the government should ensure that the traditional practice of social inequalities on the grounds of caste, religion, and gender has to be ended.
- Right to Equality is enshrined under Articles 14 to 18 of the Indian Constitution of India, which guarantees the right to equality to all persons and prohibits any kind of discrimination against any citizen on any of the grounds of religion, race, caste, gender, and place of birth.
- Article 14 provides that all persons are equal before the law. This means that all persons shall be equally protected by the laws of the country.
- Article 15 states that no citizen can be discriminated against on the basis of his/her religion, race, caste, sex, or place of birth.

- Article 16 states that the State cannot discriminate against anyone in matters of employment.
- Article 17 abolishes the practice of untouchability from India. It provides that every person has access to all public places including playgrounds, hotels, shops, etc.
- Right against Exploitation is enshrined under Article 23 to 24 of the Constitution of India. It provides fundamental right against exploitation to every citizen of India.
- Article 23 of the Constitution provides for prohibition of any kind of forced labor and any violation of this provision shall be an offence punishable in accordance with the law.
- Article 24 protects the children by stating that no child below the age of 14 shall be employed to work in any factory or mines or any other hazardous employment.

Fraternity

• All the Indians are members of a family, no one is inferior or superior, all are equal and have same rights and duties.

Sovereign

• The word 'sovereign' implies that India is neither a dependency nor a dominion of any other nation, but an independent state. There is no authority above it, and it is free to conduct its own affairs (both Internal and external).

Socialist

- The term Socialist added in the Preamble by 42nd Amendment, 1976. Indian brand of socialism is Democratic Socialism that holds faith in a mixed economy where both the private and public sectors co-exist side by side.
- In a socialist country, citizens have the right to property but the government should regulate it by law, the socio-economic activities to reduce inequalities in the society and hence, every citizen has equal right to share the resources of the country.

Secular

- The term Secular was incorporated in the Preamble by 42nd Constitutional Amendment, 1976.
- The Indian Constitution embodies the positive concept of secularism i.e., all religions in our country have the same status and support from the state.

- India is a secular country. There is no official religion of the government and the government treats all the religions equally.
- Articles 25 to 28 provide 'Right to freedom of Religion' for every citizen. This is a Fundamental Right that allows every individual a freedom to live by their religious beliefs and practices as they interpret these beliefs.
- Cultural and Educational Rights (Article 29 to 30) state that all minorities, religious or linguistic, having a distinct language, script or culture of its own, (they) can set up their own educational institutions in order to preserve and develop their language, script, or culture.

Democratic

- The democratic system of government runs according to some basic principles, which are collectively called as 'Rule of Law.'
- The term implies that the Constitution of India has an established form of Constitution which gets its authority from the will of the people expressed in an election.
- In a democratic form of the government, the people of the country enjoy equal political rights, choose to elect and change their representatives, and hold them accountable.

Republic

- The term indicates that the head of the state is elected by the people.
- A democratic polity can be classified into two categories:
 - o Monarchy (Ex: Britain)
 - o Republic (Ex: India, USA).
- In India, the President is the head of the state and he is elected indirectly by the people of India.

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