

Constitution of India Part-1



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Constitution of India Part-1:

- "Constitution is defined as the set of fundamental principles or rules according to which a state or an organization is acknowledged to be governed. It is the supreme law of India".
- The idea of Constitution was given for the first time by the Indian philosopher **ManabendraNath Roy**.
- Indian National Congress demanded the Constitution for the first time in 1935. It was framed by the **Constituent Assembly** which was set up under the **Cabinet Mission Plan** of 1946.

Constituent Assembly:

- The Assembly consisted of 389 members representing provinces (292), states (93), the Chief Commissioner Provinces (3) and Baluchistan (1).
- The Constituent Assembly was first met on **9th December 1946** under the Chairmanship of **Dr. SachidanandSinha(Provisional Chairman).**
- Dr. Rajendra Prasad was elected its Permanent Chairman on 11th December 1946.
- It adopted the **"Objective Resolution"** moved by **Pt. Jawaharlal Nehru** on **13th December 1946** which later became the Preamble of the Constitution.
- The Draft of Indian Constitution was presented in October 1947. President of the Drafting Committee was **BhimRaoAmbedkar**.
- The total time consumed to prepare the draft was 2 years, 11 months, 18 days.
- The Constituent Assembly was the First Parliament of Independent India.
- **B.N.Rao** was the Advisor to Constituent Assembly.
- On 26 Nov. 1949, the process of framing the constitution was completed and Constituent assembly adopted the constitution. 284 members signed the document.
- On 26 Jan 1950, the Constitution of India became operative.
- Originally the Constitution consisted of 22 Parts and 8 Schedules.

Functions performed by the Constituent Assembly:

Enacting of ordinary laws Adopted National Flag on 22nd July 1947 Adopted National Anthem on 24th January 1950 Adopted National Song on 24th January 1950 Elected Dr. Rajendra Prasad as the first President of India: 26 January 1950

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Important Committees of the Constituent Assembly:

S.No	Committee	Chairman
1.	Drafting Committee	Dr. B.R. Ambedkar
2.	Union Powers Committee	Jawaharlal Nehru
3.	Union Constitution	Jawaharlal Nehru
	Committee	
4.	Advisory Committee on	Sardar Patel
	Fundamental Rights and	
	Minorities (2 Sub-	
	Committees)	
4(a).	Fundamental Rights Sub-	J.B. Kriplani
	Committee	
4(B).	Minorities Sub-Committee	H.C. Mukherjee
5.	Steering Committee	Dr. Rajendra Prasad
6.	States Negotiation Committee	Jawaharlal Nehru
7.	Rules of Procedure	Dr. Rajendra Prasad
	Committee	
8.	Provincial Constitution	Sardar Patel
	Committee	

Sources of Indian Constitution:

Government of India Act 1935

- Federal Scheme
- Office of Governor
- Federal Judiciary
- Public Service Commission
- Emergency Provisions
- Administrative Details

British Constitution

- Parliamentary form of government
- Post of Prime Minister
- Single citizenship
- Bicameral Legislature
- The idea of the Rule of law
- Institution of Speaker and his role
- Lawmaking procedure

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• Procedure established by Law

American Constitution

- Preamble
- Fundamental Rights
- Federal structure of Government
- Vice President
- Independence of the judiciary
- Judicial review
- Impeachment of President
- Removal of Judges

Irish Constitution

- Directive principles of state policy.
- Nomination of the members of RajyaSabha.

Australian Constitution

- Concurrent List
- Joint Sitting
- Cooperative Federalism

French Constitution

- Ideals of Liberty, Equality and Fraternity
- Republic

Canadian Constitution

- Federation with a strong centre.
- Appointment of the Governors of the state by Centre.
- Residual powers retained by the central government.

Constitution of the Soviet Union

• Fundamental Duties

Constitution of South Africa

- Election of RajyaSabha
- Amendment in Constitution

Constitution of Germany

• Suspension of Fundamental Rights during emergency

Japanese Constitution

• Procedure established by Law

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