

# Preamble

## Preamble

A preamble is an introductory statement in a document that explains the document's philosophy and objectives.

- In a Constitution, it presents the intention of its framers, the history behind its creation, and the core values and principles of the nation.

The 'Preamble' of the Constitution of India is a brief introductory statement that sets out the guiding purpose and principles of the document, and it indicates the source from which the document derives its authority, meaning, the people. It was adopted on 26 November 1949 by the Constituent Assembly of India and came into effect on 26th January 1950.

The preamble begins with the words "We the people of India..." thus clearly indicating the source of all authority of the constitution. It emphasizes the sovereignty of the people and the fact that all powers of government flow from the people. It is the people of India on whose authority the Constitution rests. The preamble surmises that it is the people of India who are the authors of the constitution. Thus the words "We, the people of India" declares in unambiguous terms that the Constitution has been adopted, enacted and given to themselves by the people of India.

- It was enacted after the enactment of the entire Constitution of India
- The term 'secular' was added to the Preamble of the Indian Constitution by the 42nd Constitutional Amendment Act of 1976.
- The Preamble secures to all citizens of India liberty of belief, faith and worship
- Ideal of justice (social, economic and political) in the Preamble are borrowed from the Soviet Union (Russia) Constitution
- Republic and the ideals of liberty, equality and fraternity are borrowed from the French Constitution
- Preamble, in itself, has been first introduced through the American Constitution

Preamble to the Indian Constitution	
<b>Source of the Indian Constitution</b>	The People of India are revealed to be the source of the authority of the Indian Constitution. The words, 'We, the People of India' reflect the same.
<b>Nature of the Indian State</b>	The Preamble of India tags India as the sovereign, secular, republic, secular and democratic nation
<b>Objective of the Indian Constitution</b>	Justice, Liberty, Equality and Fraternity are denoted as the objectives of the Preamble of India
<b>Adoption Date of the Constitution of India</b>	November 26, 1949 as the date when then the Indian Constitution

- **Sovereign:** The term means that India has its own independent authority and it is not a dominion of any other external power. In the country, the legislature has the power to make laws which are subject to certain limitations.
- **Socialist:** The term means the **achievement of socialist ends through democratic** means. It holds faith in a mixed economy where both private and public sectors co-exist side by side.
  - It was added in the Preamble by 42<sup>nd</sup> Amendment, 1976.
- **Secular:** The term means that all the religions in India get equal respect, protection and support from the state.
  - It was incorporated in the Preamble by 42<sup>nd</sup> Constitutional Amendment, 1976.
- **Democratic:** 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.
- **Republic:** The term indicates that the head of the state is elected by the people. In India, the President of India is the elected head of the state.

## **Objectives of the Indian Constitution**

- The Constitution is the supreme law and it helps to **maintain integrity in the society** and to **promote unity among the citizens** to build a great nation.
  - The main objective of the Indian Constitution is to **promote harmony throughout the nation.**
- The factors which help in achieving this objective are:
  - **Justice:** It is necessary to maintain order in society that is promised through various provisions of **Fundamental Rights** and **Directive Principles of State Policy** provided by the Constitution of India. It comprises three elements, which is **social, economic, and political.**
- **Social Justice** – Social justice means that the Constitution wants to create a society without discrimination on any grounds like caste, creed, gender, religion, etc.
- **Economic Justice** – Economic Justice means no discrimination can be caused by people on the basis of their wealth, income, and economic status. Every person must be paid equally for an equal position and all people must get opportunities to earn for their living.
- **Political Justice** – Political Justice means all the people have an equal, free and fair right without any discrimination to participate in political opportunities.
- **Equality:** The term 'Equality' means no section of society has any special privileges and all the people have given equal opportunities for everything without any discrimination. Everyone is equal before the law.
- **Liberty:** The term 'Liberty' means freedom for the people to choose their way of life, have political views and behavior in society. Liberty does not mean freedom to do anything; a person can do anything but in the limit set by the law.
- **Fraternity:** The term 'Fraternity' means a feeling of brotherhood and an emotional attachment with the country and all the people. Fraternity helps to promote dignity and unity in the nation.

## **Sources of Indian Constitution**

Sources	Borrowed Features
Government of India Act 1935	Major part (2/3rd part) is taken up from this legislation. (1) distribution of power among centre and states (2) Office of Governor (3) Judiciary (4) Public Service Commission (5) emergency provision (6) Administrative Detail
Australian Constitution	(1) Concurrent list (2) Freedom of trade, commerce and intercourse (3) Joint-sitting of the two Houses of Parliament
Canadian Constitution	(1) Federation with a strong Centre (2) Vesting of residuary powers in the Centre (3) Appointment of state governors by the Centre (4) Advisory jurisdiction of the Supreme Court
Irish Constitution	(1) Directive Principles of State Policy (2) Nomination of members to Rajya Sabha (3) Method of election of the President
Japanese Constitution	(1) Procedure Established by law
Soviet Union's Constitution	(1) Fundamental duties (2) Ideal of justice (social, economic and political) in the Preamble
US Constitution	(1) Fundamental rights (2) Independence of judiciary (3) Judicial review (4) Impeachment of the president (5) Removal of Supreme Court and High Court judges (6) Post of vice-president
German (Weimar) Constitution	(1) Suspension of Fundamental Rights during emergency
South African Constitution	(1) Procedure for amendment in the Indian Constitution (2) Election of members of Rajya Sabha
French Constitution	(1) Republic (2) Ideals of liberty, equality and fraternity in the Preamble

## National Flag of India

The National Flag of India was accepted in its present form during a meeting of the Constituent Assembly held on 22 July 1947, when it turned out to be the official flag of India. Flag Code of India, 2002 has come into effect from January 26, 2002. It is neither a statute nor a statutory rule or regulation. It is one of the National Symbols of India.

The National Flag is known as Tiranga in Hindi and it consists of three colors and Asoka Chakra in its middle. Three colors represent:

- The Saffron color -Courage and sacrifice
  - White – Truth, peace, and purity
  - The Green colour-Prosperity
  - Asoka Chakra represents the Laws of Dharma
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- The National Flag should be rectangular in shape with a **length to width ratio of 3:2.**
  - The design of the **Indian tricolour** is largely attributed to **PingaliVenkayya**, an Indian freedom fighter.

## **National Anthem**

The song Jana GanaMana was a poem composed originally in Bengali by Rabindranath Tagore. The Hindi version of Jana GanaMana was adopted as the National Anthem of India on 24th January 1950.

The song was selected as the national anthem by Subhas Chandra Bose while he was gathering support for the Indian Independence Movement in Germany. On the occasion of the founding meeting of the German-Indian Society on September 11, 1942,

### **National Anthem Code of Conduct**

The complete version of the National Anthem shall be played in the following events:

- Civil and Military Ceremonies.
- National Salute should be given to the National Anthem on official occasions to the President or to the Governor within their corresponding States.
- During parades regardless of whether any of the VIPs mentioned above is present or not.
- On arrival of the President at official State functions and other gatherings organized by the Government and on his departure from such functions.
- Instantaneously before and after the President addresses the country over All India Radio.

- On arrival of the Lieutenant Governor at official State functions within his Union Territory or State and on his leaving from such functions.
- When the National Flag is carried on parade.
- When the Regimental Colours are presented.
- For raising colours in the Navy.
- The list of 10 categories of people who are exempted from standing up at the time the national anthem plays in a theatre has been adjusted recently. The list includes people diagnosed with:
  - Cerebral palsy
  - Parkinson's disease
  - Multiple sclerosis
  - Leprosy-cured persons
  - Muscular dystrophy
  - Day blindness
  - Hearing loss
  - Autism
  - Locomotive disability (wheelchair-bound)
  - Intellectual disability (learning disorder)
- The decision is in agreement with Article 51(A) of the Constitution of India which makes honouring the National Anthem a fundamental duty of all citizens.

## **National Song**

National Song of India was written by Bankim Chandra Chatterjee.

'VandeMatram...' as the lyrics of National Song of India was adopted by the Constituent Assembly of India in 1950.

On 24 January 1950, the Constituent Assembly of India has adopted "VandeMataram" as a national song. On the occasion, the first President of India, Rajendra Prasad stated that the song should be honoured equally with the national anthem of India, "Jana GanaMana". However, the Constitution of India does not have any mention of "national song".

1. The song was a part of Bankim Chandra Chatterji's most famous novel Anand Math (1882) which is set in the events of Sannyasi rebellion.
2. The first translation of Bankim Chandra Chatterji's novel Anand Math, comprising the poem VandeMataram, into English was done by Nares Chandra Sen-Gupta, in 1906.

3. 1896 session of the Indian National Congress is the first political event when the National song was sung. The national song of India was first sung by the Rabindranath Tagore session on the same occasion.
4. In 1905, Poet Sarala Devi Chaudurani sang the national song in the Benares Congress Session.
5. From Lahore, LalaLajpatRai published a journal called VandeMataram
6. In 1905, VandeMataram was recited in the first political film made by HiralalSen