

BHARATHIDASAN UNIVERSITY

Tiruchirappalli- 620024,

Tamil Nadu, India

Programme: FIVE-YEAR INTEGRATED M.A. HISTORY

Course Title: INDIAN CONSTITUTION

Course Code: AIIC02

Unit-I & II

The Making of The Indian Constitution and Its Sources, Basic Features Of India's Constitution, Preamble, Fundamental Rights, Fundamental Duties and Directive Principles of State Policy

Dr. T. ASOKAN,
Professor & Head
Department of History



INDIAN CONSTITUTION

- Historical Background or Constitutional Development
- Structure of the Constitution
- Working of the Constitution
 - Romesh Tapar, Smt.Champakam Dorairajan Vs. State of Madras
 - Shankari Prasad Vs Union of India case
 - Kesavananda Bharti Vs. State of Kerala

CONSTITUTION

- Written
- Un written
- Separation of powers by **French Philosopher Montesquieu (Spirit of Law)**
 - Legislature
 - Executive
 - Judiciary

CONSTITUTIONAL DEVELOPMENT

- **Regulating Act-1773**
- **Pitt India Act - 1784**
- **Charter Acts-1793, 1813, 1833 and 1853**
- **1858 Act**

COUNCIL ACTS

- **First & Second Council Act -1861 & 1892**
- **Minto-Morley Act-1909**
- **Montagu-Chelmsford Act-1919**
 - **Election, Bicameral Legislature and Diarchy at the Province,**
The reserved subjects & The transferred subjects .
- **Simon Commission-1927**
- **Nehru Report-1928**
- **Round Table Conferences -1930-1932**
- **1935 Act**
 - **Provincial Autonomy**
 - **Introduction of Federation at the Centre.**

CABINET COMMITTEE RECOMMENDATION

- Interring Government
- Formation of Constituent Assembly
 - Sachidhanandha Sinha
 - Rajendra Prasad
 - Objective Resolution
 - Appointment of Various Committees

THE PREAMBLE



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.**



- The Preamble

- Source of Authority
- Nature of the State
- Aims and Objectives of the Constitution
- Adoption
- Whether preamble is the part of the Constitution?
- Berupari Union, Kesavananda Bharti and LIC.



Name and Its Territory

SALIENT FEATURES

Longest Written Constitution


- **In 1949, the Constitution contained a Preamble, 395 Articles (divided into 22 Parts and 8 Schedules).**
- **At Present**
- **Article –465**
- **Parts-25**
- **Scheduled –12**
- **Amendments -127**


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- Federal System with Unitary Bias
 - 7th Schedule
 - Union List
 - State List
 - Concurrent List
 - Central State Relationship
 - Legislative relations
 - Administrative relations

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- Parliamentary Form of Government
 - Integrated and Independent Judiciary.

Fundamental Rights (Articles 12-35) (Part - III)

- Right to Equality (Article 14-18)
- Right to Freedom (Article 19-22)
 - Right to Life
 - Right to Education
- Right against Exploitation (Article 23-24)
- **Article 23 – Prohibition of traffic in human beings and forced labour.**
- **Article 24 – Prohibition of employment of children in factories, etc**
- Right to Freedom of Religion (Article 25-28)
- Cultural and Educational Rights (Article 29-30)
- Right to Constitutional Remedies (Article 32-35)

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- Directive Principles of State Policy
 - Articles 36-51 Part-IV
 - Fundamental Duties
 - Article 51A Part-IV A

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- Universal Adult Franchise
 - Single Citizenship
 - Independent Bodies
 - Emergency Provisions
 - National (Article 352),
 - State (Art.356) and
 - Financial (Art. 360).
 - Three-tier Government (Panchayat Raj)

WORKING OF THE CONSTITUTION

- Important Amendments and Cases
 - Romesh Tapar, Smt.Champakam Dorairajan Vs. State of Madras
 - Shankari Prasad Vs Union of India case
 - Golaknath Vs State of Punjab
 - Kesavananda Bharti Vs. State of Kerala
 - Maneka Gandhi Vs. Union of India
 - Shah Bano case
 - S. R. Bommai Vs. Union of India