



A Seminar on Preamble of Indian Constitution

Government of India (GOI) decided to celebrate the Constitution Day on 26th November every year. The objective of the same is to increase awareness about the Constitution amongst citizens of India. The GOI emphasized that "Constitution Day "should be celebrated on 26th November every year, as on this day the Constitution of India was adopted by the Constituent Assembly. Padmashree Dr. D. Y. Patil Institute of Management Studies (DYPIMS), Pune organized a seminar on Preamble of Indian Constitution on 27.11.2015 from 11.00 am to 12.30 pm. This was conducted by Dr. Lakshman Brahmawar (PhD in Law). The faculty members and students of DYPIMS attended the program. The opening remarks of the seminar was given by Dr. Surya Ramdas (Director, DYPIMS) and then it was handed over to the expert Dr. Laxman Brahmawar. He said that Preamble is an introductory statement, stating the aims and objectives of the constitution. Accordingly, the preamble to the Indian constitution spells out the basic philosophy contained in the body of the Indian Constitution. Dr. Laxman said the preamble is as follows:

"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 all its citizens;

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."

He explained that Reading through the Preamble, one can see the purpose that it serves, namely, the declaration of (1) the source of the constitution, (2) a statement of its objectives and (3) the date of its adoption.

Dr. Laxman told that the opening words of the preamble ('we the people of India') emphasis the ultimate authority of the people from whose wills the constitution emerges. Since the Constituent Assembly enacted and adopted the constitution in the name of the people of India, the question has been asked whether the Assembly was really representative of the people of India. This question was raised both within and outside the Assembly. The circumstances under which the Constituent Assembly came into being shows that it was impracticable to constitute such a body in 1946 with adult suffrage as its basis. No part of the country had the experience of adult suffrage.

Dr. Laxman further explained that to prepare an electoral roll on the basis of adult suffrage for the country and to hold elections on that basis would have certainly taken a number of years. It was rightly thought unwise to postpone the task of constitution making until such an election was held. This was the main justification for accepting the Cabinet Mission Plan for constituting the Assembly through indirect election. Everyone will definitely agree with what

Dr. Ambedkar said in the floor of the Constituent Assembly in 1949, "I say that the Preamble embodies what is the desire of every members of the House, that the constitution should have its root, its authority, its sovereignty from the people that it has". He further enlightened the audience on the following points, which are as follows.

He said, The Preamble proclaims the solemn resolution of the people of India to constitute India into a 'Sovereign socialist, secular democratic republic'. The words 'socialist' and 'secular' were introduced into the preamble in 1976 by the 42nd Amendment of the Constitution.

India is 'Sovereign', in as much as it is free from any external control and having independent power and authority. Sovereignty of India does not come in the way of its remaining a member of the Commonwealth of Nations. Though the Queen of the UK is its symbolic head, it is a voluntary association and so does not violate India's sovereign status.

India is 'democratic', as it has chosen a representative and responsible system of government under which those who administer the affairs of the state are elected by the electorate and accountable to them. The term 'republic' implies an elected head of the state. By declaring to become a republic, India has chosen the system of electing one of its citizens as its President—the head of the state at regular intervals.

Socialism in India has been accepted in the meaning of 'Democratic Socialism'. The main aim of the expression was to bring about a balance in the existing economic disparities. India is 'secular,' because it maintains perfect neutrality in religious matters. It does not have anything as state-religion and the people are free to accept or reject any religion of their choice.

The Preamble proceeds further to define the objectives of the Indian Republic. These objectives are four in number: 'Justice', 'Liberty', 'Equality' and 'Fraternity'. The essence of justice is the attainment of the common good. It embraces the entire social, economic and political spheres of human activity.

The term 'liberty' used in the Preamble is not merely a negative, but a positive concept. It signifies not only the absence of any arbitrary restraint on the freedom of individual action but also the creation of conditions which are essential for the development of the personality of the individual. 'Liberty' and 'Equality' are complementary. Equality does not mean that all human beings are equal mentally and physically. It signifies equality of status, the status of free individuals and availability of opportunity to everyone to develop his potential capacities.

Finally, it is the spirit of brotherhood that is emphasized by the use of the term "fraternity" in the Preamble. India being a multilingual and multi-religious state, the unity and integrity of the nation can be preserved only through a spirit of brotherhood that pervades the entire country, among all its citizens, irrespective of their differences.

Finally he concluded by saying that the Preamble of the Constitution of India is one of the best of its kind ever drafted. Both in ideas and expression it is a unique one. It embodies the spirit of the constitution to build up an independent nation which will ensure the triumph of justice, liberty, equality and fraternity. One of the members of the Constituent Assembly (Pundit Thakur Das Bhargava) rose to poetic heights when he said, "The Preamble is the most precious part of the Constitution. It is the soul of the Constitution. It is a key to the Constitution. It is a jewel set in the Constitution."

At the end the vote of thanks was proposed by Dr. Sweta Banerjee.

Glimpses of the Event

