

Chapter-01 Political Science

The Indian Constitution

The Constitution of India is the longest written constitution in the world. It is a set of rules by which the government rules our country. It is the supreme law of the land. It came into effect on 26th January 1950. Our Constitution is based on the principles of democracy, socialism and secularism.

Dr. Bhim Rao Ambedkar is known as '**The Father of Indian Constitution**'.

Why Does a Country Need a Constitution :

- (i) A Constitution lays out certain ideals that form the basis of the kind of country that we as citizens aspire to live in.
- (ii) It tells us about the fundamental nature of our society.
- (iii) It helps serve as a set of rules and principles that all persons in a country can agree upon as the basis of the way in which they want the country to be governed.
- (iv) This includes the type of government and also an agreement on certain ideals that they all believe the country should uphold.
- (v) When Nepal was a monarchy, it reflected the final authority of the king. After transition of Nepal into a democracy, it started the process of writing a new constitution for the country.
- (vi) In a democracy, leaders exercise their power responsibly on the behalf of the people. It defines country's political system.
- (vii) In democratic societies, the constitution lays down the rules that guard against the misuse of authority by our political leaders. It lays certain important guidelines that govern decision making processes.

(viii) A Constitution plays an important function in a democracy to ensure that a dominant groups does not use its power against any person, group, organization, etc.

(ix) Constitution prevents tyranny or domination by the majority of a minority.

(x) The Indian Constitution guarantees the right to equality to all citizens and says that no citizen can be discriminated on the basis of religion, caste, gender, race, etc.

The Indian Constitution Key Feature:

(i) The Indian National Movement had been active in the struggle for Independence from British rule for several decades.

Nationalists devoted a great deal of time to imagining and planning what a free India would be like.

When the constitution was being written India was going through a turmoil because of partition of India and Pakistan.

The final document reflects a respect for maintaining diversity with preserving national unity, along with eradication of poverty through socio-economic reforms.

Following are the key features of Indian constitution.

1) Federalism: It refers to the existence of more than one level of government in the country. These are at the state and at the central levels. Citizens are governed by laws & policies made by each of these levels of government.

2) Parliamentary Form of Government: The Constitution of Indian guarantees universal adult suffrage for all citizens. This means every citizen of the country irrespective of his/her social background have a direct role in electing their representatives.

Representatives are thus accountable to the people in a parliamentary form of government.

3) Separation of Powers: There are three organs of the State: (a) the Legislature (b) the Executive and (c) the Judiciary.

a) The **legislature** refers to our elected representative; those who make laws.

b) The **executive** is a smaller group of people who are responsible for implementing laws and running the government.

c) The **judiciary** refers to the system of courts in the country; who settle disputes and make sure that laws are obeyed.

Each organ acts as a check on the other organs of the State and this ensures the balance of power between all three.

4) Fundamental Rights:

(i) The Fundamental Rights are referred to as the 'conscience' of the Indian Constitution. Fundamental Rights protect citizens against the arbitrary and absolute exercise of power by the state.

(ii) The Constitution guarantees the rights of individuals against the State as well as against other individuals.

(iii) There are six Fundamental Rights in the Indian Constitution, which are: (i) Right to Equality; (ii) Right to Freedom; (iii) Right against Exploitation; (iv) Right to Freedom of Religion; (v) Cultural and Educational Rights; (vi) Right to Freedom of Religion; (iv) Right to Constitutional Remedies.

(iv) In addition to Fundamental Rights, the Constitution has a section called Directive Principles of State Policy. It ensures greater social and economic reforms and to serve as a guide to the independent Indian state to institute laws and policies that help reduce the poverty of the masses.

5) Secularism

A secular state is one in which the state does not officially promote any one religion as the state religion.

The Constitution plays a crucial role in laying out the ideals that we would like all citizens of the country to adhere to, including the representatives that we elect to rule us.

Constitution has been changed over the years to reflect new concerns of the polity that involves a change in the fundamental nature of the country.