

1. Meaning, Nature and Importance of the Constitution

1.11 Meaning of Constitution:

The Constitution means a basic set of rules that tells how a country will be governed. Just like every school has rules, every country also needs rules. These rules are collected in a single document called the Constitution. According to J.N. Pandey, a Constitution is the fundamental law of the country. Every other law must follow the Constitution. If any law goes against the Constitution, the court can remove that law.

Why do we need a Constitution?

We need a Constitution because:

It creates the structure of government

It protects citizens' rights

It prevents the misuse of power

It maintains law and order

It guides the country toward justice and equality Without a Constitution, the government may become unfair. The Constitution keeps balance and ensures that no authority becomes too powerful.

The framing of the Indian Constitution began soon after independence. A Constituent Assembly was created to draft the Constitution. Under the Chairmanship of Dr. B. R. Ambedkar, the Drafting Committee prepared a document that combined the best features of many world constitutions while keeping in mind India's unique social and historical conditions. After nearly three years of debate and discussion, the Constitution was adopted on 26 November 1949, and came into force on 26 January 1950, marking the birth of the Republic of India. Hence, 26 January 1950 is celebrated as a historic "red-letter day" in Indian history.

Meaning of a Constitution:

According to J.N. Pandey, a Constitution is a document of special legal importance which:

Establishes the basic framework of the government,

Defines the structure and powers of its principal organs, and ☐ Lays down the fundamental principles that govern the functioning of the State.

It is the highest legal authority, and all laws and government actions must conform to it

In simple words: " The Constitution is the master rulebook that controls the whole country."

1.1.2 Nature of constitution :

The Constitution of India is the supreme law of the country. It explains how the government will work, what powers the government has, and what rights the people enjoy. It is a written and detailed document, so everything is clear and organized. This helps the country run smoothly.

India has a federal system, which means power is divided between the Central Government and the State Governments. Both levels of government have their own responsibilities. But the Centre has more power, so India is often called a federal country with a strong Centre.

India follows a parliamentary system of government, like the United Kingdom. The President is the head of the country, but the real power lies with the Prime Minister and the Council of Ministers, who work with the Parliament. This makes the government democratic and responsible to the people.

The Constitution gives citizens Fundamental Rights, like the right to equality, freedom, and justice. It also tells citizens about their Fundamental Duties. To protect these rights, India has an independent judiciary, especially the Supreme Court, which ensures that the Constitution is followed.

1.1.3 Importance of constitution:

1) Supreme Law of the Land : The Constitution is the highest law of India. It provides rules for running the country and guides the government in performing its duties. Without the Constitution, there would be confusion, and government powers could be misused.

2) Protects Rights of Citizens : The Constitution ensures Fundamental Rights such as equality, freedom of speech, and protection from exploitation. These rights make sure that every citizen is treated fairly, regardless of religion, caste, gender, or background.

3) Division of Powers : The Constitution divides powers between the Central Government and State Governments, creating a federal system. This allows both levels of government to work independently in their own areas while cooperating when needed.

4) Maintains Law and Order : The Constitution provides guidelines for making laws and resolving disputes. An independent judiciary ensures that laws are applied fairly, maintaining peace, law, and order throughout the country.

5) Framework for Democracy : The Constitution establishes a democratic system, allowing citizens to elect their leaders and participate in government. It also provides Fundamental Duties, reminding citizens to act responsibly toward the nation.

6) Ensures Equality : The Constitution promotes social and economic equality. It protects weaker sections of society, including Scheduled Castes, Scheduled Tribes, and minorities, ensuring that everyone has equal opportunities.

7) Secular State : The Constitution makes India a secular country, meaning the government does not favor or promote any religion. Every citizen is free to follow their religion, and all religions are treated equally.

8) Protects Unity and Integrity of the Country : The Constitution helps keep India united and strong, even though it is a large and diverse country. By providing clear rules and dividing powers fairly, it prevents conflicts between the Centre and the States and ensures national stability.