

Framing the Constitution

The making of the Constitution

Introduction:

The Constituent Assembly has 299 members. The Assembly adopted the Constitution on November 26, 1949, but it came into force on January 26, 1950. Members of the Constituent Assembly are elected on the basis of the 1946 provincial elections. The Muslim League did not attend the Constituent Assembly meeting. These meetings took place before the Partition of India. With 82% of the members belonging to the Congress party, the Constituent Assembly remains a party show. The Constituent Assembly meeting was influenced by public opinion. The arguments of the various factions were published in all the major newspapers and all the proposals came up for public discussion. Dr. B.R. Ambedkar played a key role in the Constituent Assembly. Served as Chairman of the Constitutional Drafting Committee. Pt. Jawaharlal Nehru introduced the Objective Resolution in the Constituent Assembly. The Objectives Resolution is a landmark resolution that defines the ideals of the Constitution of Independent India.

1. Establishment of the Constituent Assembly:

It guarantees justice, equality and freedom to all Indian citizens. Promised protection for all minorities, backward and tribal areas. By 1949, most members of the Constituent Assembly agreed that the special voters' proposal was against the interests of minorities. Socialist leader and peasant movement leader N.G. Ranga was asked to understand the term minority in economic terms. Dr. B.R. Ambedkar demanded a separate constituency for the Scheduled Castes. He raised this issue during the national movement. This was opposed by Mahatma Gandhi, who said it would set him apart from other people in society.

Of. The offspring who felt the need to redistribute the powers of the center along with the state supported the power of the states. The language issue has been the subject of debate in the Constituent Assembly for months. By the 1930s, Congress had granted Hindustani the status of a national language. Hindustani, a mixture of Hindi and Urdu, is a popular language among many people in India.

R V Dhulekar advocated the use of Hindi as the constitutional language. He argued that Hindi should be declared the national language rather than the official language. He criticized the protesters for rubbing Hindi on the country.

Most members of the legislature agreed that all adult citizens in India should have the right to vote. Our Constitution is a very long and detailed document. Therefore, it needs to be revised regularly to keep it updated. Those who drafted the Constitution of India felt that it should be based on the aspirations of the people and changes in society. Therefore, he devised rules to incorporate changes from time to time. The Constitution describes institutional arrangements in the most legal language. It prescribes the process of selecting a person to rule the country. The Constitution declares India a secular state. Everyone is allowed to follow the religion of their choice. The Constitution of India came into force on 26 January 1950. It is the largest constitution in the world. On June 16, 1946, the Cabinet presented a plan to establish an interim government at the Mission Center.

On 2 September 1946, the Indian National Congress formed an interim government with Jawaharlal Nehru as Vice President. On 13 October 1946, the Muslim League decided to join the Provisional Government. Approved a federal government in which political power is divided between the centers and the states. That means the government works on two levels. Fundamental rights are guaranteed to Indian citizens. These are very important for the progress and development of any person. There was a division of power between the center and the states. There are 97 issues on the union list, 66 on the state list and 47 on the joint list.



Only the center can make laws on matters on the union list.

The state has the power to make laws on matters relating to the state list. Both the State and the Center have the power to legislate on the subject of joint inventory. However, whenever there is a conflict, the law of the land prevails. Currently, the Union of India has 30 States and 7 Union Territories.

The Constitution of India is the longest constitution in the world. It was produced between December 1946 and December 1949. It came into force on 26 January 1950. The constitution was made to keep the country united and to move it forward. The constitution in the document is detailed and meticulous.

Members of the Constituent Assembly are indirectly elected. Members are elected by the Provincial Legislature. The Congress dominated the Constituent Assembly. The Muslim League deliberately boycotted the assembly to become a separate constitution, a separate state. Although most of the members came from the views of the Congress, the views of its members were different. There was a heated discussion among the members on various ideas and proposals in the Constituent Assembly. The heated debate in the Constituent Assembly was also influenced by public opinion. People were also asked to express their views and opinions.

Linguistic minorities demanded protection for their mother tongue, while religious minorities demanded special protection. Dalits, on the other hand, demanded an end to caste oppression and reservations in education and government jobs.

Prominent voices in the Constituent Assembly:

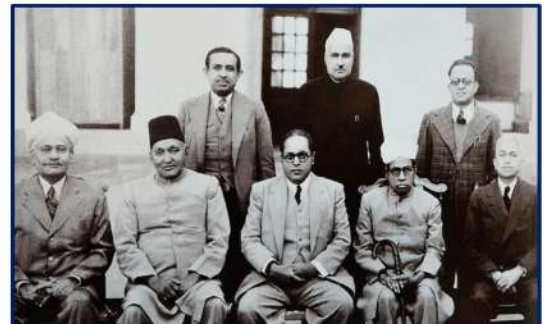
Out of the total 300 members of the Constituent Assembly, some notable contributions were made by Pandit Nehru, Vallabhbhai Patel, Rajendra Prasad, BR Ambedkar, ICM Munshi and Alladi Krishna Swamy Iyer. Pt. Jawaharlal Nehru, Vallabhbhai Patel and Rajendra Prasad are the National Congress representatives.

Pandit Jawaharlal Nehru introduced the important "Objective Resolution" as well as the National Flag Proposal. Vallabhbhai Patel was instrumental in negotiating with the princely states to annex these states to India. He produced numerous reports and worked to reconcile dissenting views.

As the Speaker of the Legislative Assembly, Rajendra Prasad took the discussion forward constructively and gave an opportunity to all the members to speak.

On the advice of Gandhiji, Dr. BR Ambedkar joined the cabinet and served as the Minister of Justice. He is the chairman of the constitutional drafting committee. K M Munshi and Alladi Krishnaswamy Iyer were two lawyers who played an important role in drafting the constitution.

These leaders were assisted considerably by two civil servants, one of whom was B.N. Rao, who served as the Constitutional Adviser to the Government of India, was another S.N. Mukherjee put the complex proposal in clear legal language.

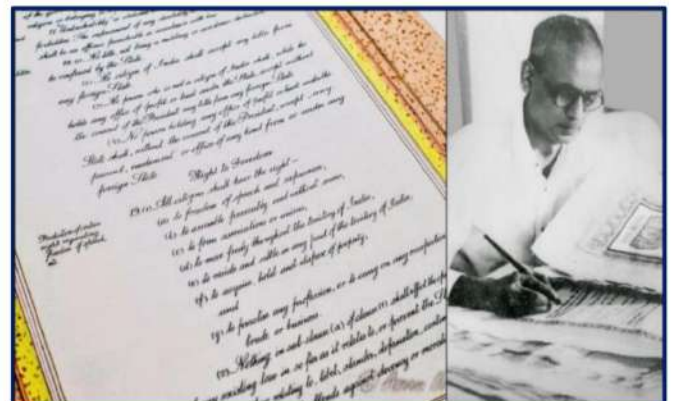


2. Objectives of the Constitution of India:

On 13 December 1946 Jawaharlal Nehru introduced the "Objectives Resolution". It declared India an "independent sovereign republic" which guaranteed its citizens, justice, equality, freedom and "adequate protections for minorities, backward and tribal areas, Dalits and backward classes".

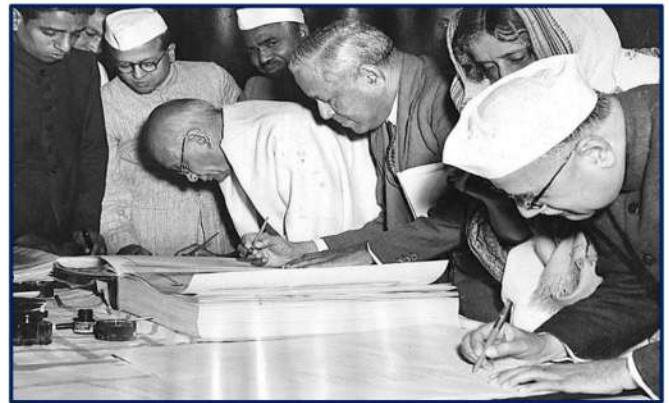
Objectives The resolution outlines the ideals of the Constitution and provides a framework for constitutional design.

Nehru referred to the American and French constitutions and the events surrounding their creation. Not only do we imitate them, it is important to learn from them so that mistakes can be avoided. Nehru said that the system of government to be set up in India should be in line with the nature of our people and acceptable to them.



The aim of the Constitution of India is to combine the liberal ideas of democracy with the socialist idea of economic justice and to re-adopt and re-implement all these ideas in the Indian context. Somnath Lahiri, a Communist member, said, "As Indians, we must be liberated from British influence." He said the Constituent Assembly was made by the British and was working with the British plan.

Nehru said that in answer to him that this was true, the British government played a role in the birth of the Assembly and added conditions to the Assembly Act. But he also said that we are meeting ourselves because of the strength of the people behind us and that people will go as far as they want to go with us.



He believed that the members of the Legislative Assembly were elected by the Provincial Legislature and that the Provincial Legislature was elected by the Indian people. Here we represent the people of our country. The Constituent Assembly was supposed to express the aspirations of the people. Democracy, equality and justice are the ideals that the people of India aspire to.

3. Public Rights:

The approach to defining people's rights is very different. Different sections of people put forward different demands. These demands, views, opinions were discussed, discussed and conflicting views were resolved and consensus was reached to make a collective decision.



Issue of special constituencies:

There was a heated debate on the issue of special constituencies in the Assembly. B Pocker Bahadur gave a powerful performance for the continuation of special voters. He said that in the political system of the country, voters would co-operate to ensure the representation of minorities in governance. Non-Muslims do not understand the need for Muslims - he added.

Many nationalist leaders saw the special election system as a means of dividing the people on the basis of religion and also believed that the idea had culminated in the partition of the country. That is why many leaders are opposed.

Sardar Patel strongly proclaimed that special voters were the poison that entered the politics of our country and turned one faction against another, which led to bloodshed, riots and division. So for peace we need to eliminate special voters.

G B Pant said in a discussion that special voters are harmful not only to the country but also to minorities. He said it was the responsibility of the majority communities to understand the problems of the minorities and try to gain sympathy for their aspirations. The demand for special voters will permanently isolate and weaken minorities and at the same time deprive them of effective power in government.

All these arguments against particular voters are based on the unity of the country, where every individual is a citizen of a state and every group must be mobilized within the country.

The Constitution grants citizenship and rights and in return citizens must offer their allegiance to the state. Communities can be identified as cultural institutions and. Politically members of all communities are equal to members of the state. By 1949, most Muslim members of the Constituent Assembly had voted against special voters and removed it. Muslims need to be actively involved in the democratic process to have a decisive voice in the political system.

4. Objective Resolution of the Constitution:

Socialist and peasant movement leader NG Ranga welcomed Objective Motion and asked to understand the term minority in the economic context. The real minorities are the poor and the downtrodden.

N G Ranga welcomed all the legal and civil rights granted to its citizens by the Constitution, but said that these rights can only be achieved when appropriate conditions or opportunities are provided. Therefore, this will alone is necessary to improve and protect the situation of the poor and downtrodden.

N G Ranga also spoke about the huge gap between the people of India and their representatives in the Legislative Assembly. Most members of the Constituent Assembly do not belong to the people. But, they are represented as their trustee, their partner and are doing their part to work for them.

Tribal spokesperson Jaspal Singh described the history of exploitation, oppression and discrimination faced by tribals. He said there was a need to create similar regulations that would help protect the tribals as well as bring them down to the level of the general population.

Jaspal Singh said there was a need to break the physical and mental distance to connect them with the mainstream. He insisted on the reservation of seats in the legislature because it would help his demands be heard and the people would have to listen to it.

The provisions of the Constitution for the oppressed sections of our country are:

Depressed groups make up 20-25% of our country's population, so they are not a minority, but they are constantly at the bottom.

Members of the oppressed classes faced a systematic downfall. They have no access to public spaces and are oppressed by distorted social and moral orders. Depressed communities have no access to education and no share in governance.

Members of the oppressed communities stressed the problem of untouchability, which cannot be solved by defense and defense. To overcome this completely, there is a need to bring such people into the mainstream and bring about a change in behavior in the society.

The Constituent Assembly had stipulated that untouchability had been abolished and that Hindu temples should be opened to all castes and seats in the legislature and jobs in government offices should be reserved for the lower castes. Many believed that social discrimination could be solved only through a change in the attitude of society.

5. State Powers:

At the central and state levels, there has been a heated debate over the transfer of government power.

Lists of three subjects are given in the draft constitution which means Union list - the Central Government can legislate on it. The State List, the State Government may legislate on it and the Joint List - both the Central and State Governments may legislate on the matters listed.

More items are listed in the Union List. In the Union of India, the government has been made more powerful so that it can coordinate on peace, security and key issues and speak for the whole country in the international arena.

However, certain taxes, such as land and property tax, sales tax and bottled liquor tax, may be levied and levied by the state.

Offspring view on central and state powers:

K. Santhanam said that power redistribution was needed to strengthen not only the state but also the center. He said the center could not function properly if the burden was placed on it. It is therefore important to transfer some powers to the state. Again, the offspring said that the states should be provided with adequate financial resources to operate independently and that even nominal expenses should not depend on the center.

If these allocations are not made properly the future of the offspring as well as others is predicted to be bleak. He said the province could revolt against the center and the center would disintegrate as more power was concentrated in the constitution.

Objective Resolution

1. India is an Independent, Sovereign, Republic;
2. India shall be a Union of erstwhile British Indian territories, Indian States, and other parts outside British India and States as are willing to be a part of the Union;
3. Territories forming the Union shall be autonomous units and exercise all powers and functions of the government and administration, except those assigned to or vested in the Union.
4. All power and authority of the Sovereign Independent India and its constituent parts shall flow from the people;
5. All the people of India shall be guaranteed and secured social economic and political justice; equality of status, of opportunity, and before the law; freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality;
6. The minorities, backward and tribal areas, and depressed and other backward classes shall provided adequate safeguards;
7. The territorial integrity of the Republic and its sovereign rights on land, sea, and air shall be maintained according to justice and the law of civilised nations;
8. The land would make full and willing contribution to the promotion of world peace and welfare of mankind.

Objective Resolution by Jawahar Lal Nehru Ji



We need a strong government

The need for a strong government was further strengthened with the events of partition. Many leaders like Jawaharlal Nehru, BR Ambedkar, Gopala Swamy Iyengar etc. supported the strong center.

Prior to partition, Congress agreed to give the provinces considerable autonomy. It was agreed to satisfy the Muslim League. While there was no political pressure after the partition, the post-partition voice further promoted centralized power.

6. Country language:

National language issues have been hotly debated in the Constituent Assembly for months. Language is an emotional issue and it is related to the culture and heritage of a particular area.

By the 1930s, the Congress and Mahatma Gandhi had adopted Hindustani as the national language. Hindustani language is easy to understand and is a popular language in large parts of India. Hindustani developed with the interaction of different cultures and languages.

The Hindustani language is mainly composed of Hindi and Urdu but also contains words from other languages. But unfortunately, language also faced religious politics. Gradually Hindi and Urdu began to separate. Hindi began to use more Sanskrit words, as well as Urdu became more Persian. However, Mahatma Gandhi maintained his faith in Hindustani. He realized that Hindustani was a mixed language for all Indians.

Request to make Hindi the national language:

Member of the Constituent Assembly R.V. Dhulekar strongly argued that Hindi should be made the national language and the language in which the Constitution should be drafted. There was strong opposition to this petition.

The Assembly Language Committee has prepared a report in which it has tried to address this issue by deciding that Hindi should be the official language in the Devanagari script, but the transition to the Hindi world is a gradual process and independence after the first 15 years. English is officially used. Language: Hindi.

Provinces are allowed to choose the language for official work in the province.

Hindi Fear:

Member of the Constituent Assembly S G Durgabai said that there is strong opposition to Hindi in South India.

Following the controversy over the language, there were fears among the opposition that Hindi would contradict the regional language and cut off the source of the regional language and cultural heritage associated with it.

They accepted Hindustani as the language of the people, but the language is changing. Words in Urdu and regional languages were removed. This action destroyed the holistic and comprehensive characteristic of Hindustani and caused anxiety and fear in the minds of people belonging to different language groups.

Many members felt that Hindi as a national language should be treated with caution and that aggressive speaking and speech would create fear among non-Hindi speaking people and further complicate the issue. There should be mutual understanding between different stakeholders.

DO YOU KNOW?

Constitution:	A set of rules and regulations governing a country.
Draft:	The main version of the legal document.
Section:	The specific section of the document.
Constituent Assembly:	The House of Representatives that draws the constitution for a country.
Constitutional Amendment:	Changes in the Constitution made by the Supreme Legislative Body of the country.

DO YOU KNOW?

26 July 1945:	Labor government comes to power in India
16 May 1946:	The Cabinet Mission announces its constitutional plan.
16 June 1946:	Cabinet submits a plan to form an interim government at the Mission Center.
September 02, 1946:	Congress forms an interim government.

DO YOU KNOW?

13 October 1946:	The Muslim League decides to join the Interim Government.
11 August 1947:	Jinnah is elected President of the Constituent Assembly of Pakistan.
14 August 1947:	Independence of Pakistan
15 August 1947:	India becomes an independent nation.

Questions For Practice

1. Which of the following leaders introduced the Lens Solution?
(a) Dr B R Ambedkar
(b) Vallabh Bhai Patel
(c) Dr Rajendra Prasad
(d) Jawaharlal Nehru
2. Member of the Constituent Assembly, who demanded the continuation of separate electorates after independence?
(a) Begum Aizaz Rasul.
(b) R.V. Dhulekar
(c) Govind Ballabh Trousers.
(d) B. P Bahadur
3. Who was the President of the Constituent Assembly?
(a) Jawahar Lai Nehru
(b) B.R. Ambedkar
(c) Dr. Rajinder Prasad
(d) Sardar Patel
4. Who was the Chairman of the Constitution Draft Commission?
(a) Vallabh Bhai Patel
(b) Jawaharlal Nehru
(c) KM Munshi
(d) Dr B R Ambedkar
5. Nationalist who drafted the Indian Constitution?
(a) Pandit Jawaharlal Nehru.
(b) Dr. B.R. Ambedkar
(c) Sardar Vallabhbhai Patel.
(d) Dr. Rajendra Prasad.
6. Which of the following languages did Gandhiji prefer as the national language?
(a) Hindi (b) Urdu
(c) Hindustani (d) Persian
7. Which of the following made a strong defense for the continuation of the separate electorate?
(a) B P Bahadur (b) BN Rao
(c) SN Mukherjee (d) Dr. Bhimrao Ambedkar
8. India's First Minister of Law?
(a) Dr. Rajendra Prasad.
(b) Dr. B.R. Ambedkar.
(c) Pandit Jawaharlal Nehru.
(d) Sardar Vallabhbhai Patel.
9. When was the rough draft of the Constitution adopted by the Constituent Assembly?
(a) December 26, 1948
(b) January 26, 1950
(c) 26 November 1949
(d) 26 December 1946
10. Which of the following is the Chief Painter of the Constituent Assembly?
(a) BN Rau
(b) Dr BR Ambedkar
(c) Jawaharlal Nehru
(d) S N Mukherjee
11. India's new constitution signed?
(a) July 1949.
(b) January 1950
(c) August 1948.
(d) December 948.
12. According to what scheme was the Constituent Assembly formed?
(a) Drafting Committee.
(b) Cabinet Mission Plan.
(c) Resolution of Objectives.
(d) All India States People's Conference
13. The group, which initially refused to participate in the Constituent Assembly, because it was British made?
(a) Socialists.
(b) Tribes.
(c) Depressive Classes.
(d) Muslim League.
14. How many sessions of the Constituent Assembly were held?
(a) 8 (b) 9
(c) 10 (d) 11
15. Who was the President of the Constituent Assembly?
(a) Jawahar Lai Nehru
(b) B.R. Ambedkar
(c) Dr. Rajinder Prasad
(d) Sardar Patel
16. Mahatma Gandhi wanted to make _____ the national language?
(a) Hindustani (b) Hindi
(c) Tamil (d) Urdu
17. Who was the chairman of the Draft Committee?
(a) B.R. Ambedkar
(b) Sardar Patel
(c) J L Nehru
(d) Rajendra Prasad
18. Which of the following languages did Mahatma Gandhi choose as the national language?
(a) Hindi (b) Urdu
(c) Hindustani (d) Persian
19. Which of the following leaders introduced the "Objective Solution"?
(a) Dr B R Ambedkar
(b) Vallabh Bhai Patel
(c) Dr Rajendra Prasad
(d) Jawaharlal Nehru
20. Which of the following is the President of the Constituent Assembly?
(a) Dr Rajendra Prasad
(b) Dr B R Ambedkar
(c) Vallabh Bhai Patel
(d) Jawaharlal Nehru
21. Who suggested that the National Flag of India be "a horizontal tricolor of equal proportions saffron, white, and dark green" with a dark blue wheel in the middle?
(a) Dr B R Ambedkar
(b) Jawaharlal Nehru
(c) RV Dhulekar
(d) Vallabh Bhai Patel
22. Who was the Chairman of the Constitution Drafting Commission?
(a) Vallabh Bhai Patel
(b) Jawaharlal Nehru
(c) KM Munshi
(d) Dr B R Ambedkar
23. Which of the following made a strong defense for the continuation of separate constituencies?
(a) B P Bahadur (b) BN Rao
(c) SN Mukherjee (d) Bhimrao Ambedkar
24. Which of the following aggressively advocated the use of Hindi as the language of constitution-making?

- (a) Ms. G Durgabai
(b) Shankar Rao
(c) RV Dhulekar
(d) TA Ramalingam Chettyar
25. Which of the following is the Chief Painter of the Constituent Assembly?
(a) B N Rau
(b) Dr B R Ambedkar
(c) Jawaharlal Nehru
(d) SN Mukherjee
26. Constitution of India enters into force?
(a) January 26, 1946
(b) August 15, 1947
(c) January 26, 1950
(d) 15 August 1950
27. When was the rough draft of the Constitution adopted by the Constituent Assembly?
(a) 26 December 1948
(b) January 26, 1950
(c) 26 November 1949
(d) December 26, 1946
28. When did the Indian Constitution come into effect?
(a) 26 January 1948
(b) January 26, 1949
(c) January 26, 1950
(d) January 26, 1951
29. Which two civil servants provided vital assistance in drafting the Constitution?
(a) BN Rau and SN Mukherjee
(b) Somnath Lahiri and GB Pant
(c) TA Ramalingam Chettyar and RV Dhulekar
(d) Ms. G Durgabai and K Santhanam
30. Which of the following statements regarding the formation of the Constituent Assembly is false?
(a) The members of the Constituent Assembly were elected on the basis of the provincial elections in 1946.
(b) There were representatives of the noble states in the Assembly.
(c) The Muslim League and Congress had equal representatives in the Constituent Assembly.
(d) The total membership of the Constituent Assembly was 300.
31. Consider the following statements:
1. Mahatma Gandhi gave Objective Resolution.
2. In 1946 a provisional government was formed under the leadership of Jawaharlal Nehru.
3. K Santhanam from Madras strongly supported the rights of states.
4. Mahatma Gandhi wanted to keep Hindi as the national language.
Which of the given statements is NOT true?
(a) 1, 4 (b) 2, 3
(c) 3, 4 (d) 2, 4
32. Consider the following statements:
1. The members of the Constituent Assembly were indirectly elected.
2. Govind Ballabh Pant opposed a separate electorate.
3. Shri Shankar Rao adopted Hindustani as the national language.
4. NG Ranga counted the tribes among the minorities.
Which of the given statements is/are correct?
(a) 1, 2, 3, 4 (b) 2, 3, 4, 1
(c) 2, 3, 1, 4 (d) 2, 4, 1, 3
33. The twenty-third Jaina teacher Parsva, the immediate predecessor of Mahavira, ordered his disciples four great offerings. Which of the following does Mahavira add as the fifth offering?
(a) Avoiding theft
(b) No injury
(c) Brahmacharya or continence
(d) Non-attachment
34. Turkish-Afghan domination in India approx.?
(a) two centuries
(b) three centuries
(c) four centuries
(d) a little over a century
35. Which of the following is not included in Mughal paintings?
(a) Portraits
(b) Islamic themes
(c) Flowers and plants
(d) Hunting scenes
36. Against which Mughal Emperor was a FATWA issued from Jaunpur?
(a) Humayun (b) Akbar
(c) Shahjahan (d) Aurangzeb
37. Who coined the slogan **DO OR DIE** during the movement to secede from India in 1942?
(a) Mahatma Gandhi
(b) Subhash Chandra Bose
(c) Bhagat Singh
(d) Jawaharlal Nehru
38. Which Sultan of Delhi was the first to impose the **GHARI** or **HOUSE TAX**?
(a) Balban
(b) Alauddin Khilji
(c) Mohammed bin Tughluk
(d) Firoz Shah Tughluk
39. In what year was the movement out of India started?
(a) 1930 (b) 1940
(c) 1942 (d) 1947
40. Which Governor of India had the most tenure during British rule:
(a) Lord Linlithgow
(b) Lord Mountbatten
(c) Lord Bentick
(d) None of the above

Solutions

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|--------|--------|---------|---------|---------|---------|---------|---------|---------|---------|
| 1. (d) | 5. (b) | 9. (c) | 13. (a) | 17. (a) | 21. (b) | 25. (d) | 29. (a) | 33. (c) | 37. (a) |
| 2. (d) | 6. (c) | 10. (d) | 14. (d) | 18. (c) | 22. (d) | 26. (c) | 30. (c) | 34. (b) | 38. (b) |
| 3. (d) | 7. (a) | 11. (b) | 15. (c) | 19. (d) | 23. (a) | 27. (c) | 31. (a) | 35. (b) | 39. (c) |
| 4. (d) | 8. (b) | 12. (b) | 16. (a) | 20. (a) | 24. (c) | 28. (c) | 32. (a) | 36. (b) | 40. (a) |

