

The Making of Independent India's Constitution

- ▶ • Constitution-making began during final years of British rule.
- ▶ • Multiple political ideologies shaped the Constituent Assembly (CA).
- ▶ • Scheduled Castes movement under Ambedkar gained national importance.
- ▶ • All India Scheduled Castes Federation formed in 1942.
- ▶ • Constitution aimed for both independence and social justice.



Constituent Assembly and Its Members

- ▶ • Constituted in 1946 with 296 members from provinces.
- ▶ • Elections were indirect, not based on universal suffrage.
- ▶ • Congress dominated with 208 seats.
- ▶ • Ambedkar, Nehru, Patel, Azad, Rajendra Prasad were key figures.
- ▶ • Only 9 women were members of the Assembly.

Ambedkar's Role and Objectives Resolution

- ▶ • Ambedkar headed the Drafting Committee despite initial opposition.
- ▶ • He emphasized social justice, equality, and legal rights.
- ▶ • Nehru's Objectives Resolution set goals for social revolution.
- ▶ • Constitution to reflect unity, secularism, and equality.
- ▶ • Scheduled Castes' inclusion became a national agenda.

Drafting and Public Feedback

- ▶ • Draft Constitution had 395 Articles and 8 Schedules.
- ▶ • Public suggestions invited for 8 months.
- ▶ • Based on reports from multiple expert committees.
- ▶ • CA aimed for democratic participation in shaping the Constitution.
- ▶ • Constitution adopted on 26 Nov 1949, effective from 26 Jan 1950.

Parliamentary System vs. Presidential System

- ▶ • Indian President is symbolic head like British monarch.
- ▶ • Real power lies with Prime Minister and Council of Ministers.
- ▶ • President must act on ministerial advice.
- ▶ • Unlike US President, Indian President can't act independently.
- ▶ • Reflects preference for parliamentary democracy.

Federalism in the Indian Constitution

- ▶ • India follows dual polity: Union and States.
- ▶ • Only one citizenship: Indian (no state citizenship).
- ▶ • Constitution aims to balance unity with regional autonomy.
- ▶ • Single integrated judiciary unlike US dual judiciary.
- ▶ • Uniform civil and criminal laws to ensure national unity.

Civil Services and Judiciary

- ▶ • All India Services like IAS and IPS ensure administrative unity.
- ▶ • States have their own civil services as well.
- ▶ • Judiciary is unified with Supreme Court and High Courts.
- ▶ • Civil and criminal laws kept mostly uniform.
- ▶ • Federal system with central strength and regional participation.

Debates and Criticism

- ▶ • Some criticized Constitution for copying British 1935 Act.
- ▶ • Others argued it ignored village autonomy and socialism.
- ▶ • Gandhi supported decentralization, critics feared centralization.
- ▶ • Diverse ideas debated before finalizing provisions.
- ▶ • Democratic engagement made it a 'people's constitution'.

Fundamental Rights and Caste Issues

- ▶ • Untouchability abolished, but caste system remained debated.
- ▶ • Definition of untouchability left to legislature.
- ▶ • CA debates show diversity of opinions and concerns.
- ▶ • Focus on equality, justice, and non-discrimination.
- ▶ • Constitution laid groundwork for anti-caste legislation.

Legacy and Evolution of the Constitution

- ▶ • Directive Principles promote social and economic justice.
- ▶ • Provisions for minority rights, SC/ST reservations included.
- ▶ • Amendments allowed: 99 changes by 2013.
- ▶ • Preamble words 'Secular' and 'Socialist' added in 1976.
- ▶ • Supreme Court declared basic structure doctrine (Kesavananda Bharati case).