

8th Standard- Social Science

Civics-The Indian Constitution

For the proper functioning of a country, laws are necessary.

A Constitution consists of a set of rules and principles to govern the country.

The Indian Constitution was drafted by the Constituent Assembly which was formed in December 1946.

The Constituent Assembly consisted of 300 members in 1946. It was headed by Dr. Rajendra Prasad.

The Constituent Assembly completed the work in two years, eleven months and eighteen days.

The Constitution of India was adopted on 26th November 1949 and came into force on 26th January 1950.

The main features of the Indian Constitution are Federalism, parliamentary form of government, separation of powers, fundamental rights, an independent judiciary, and secularism.

Six fundamental rights have been granted to the citizens of India.

A secular state is that which does not officially promote any particular religion as the state religion.

Society is bound to a certain set of rules which makes it what it is and differentiates it from other kinds of society. These rules, in large societies in which different communities of people live together, are formulated through consensus. In modern countries, this consensus is usually available in written form. A written document in which we find such rules is known as a Constitution.

Constitution lays certain ideals that form the basis of the kind of country that we as citizens aspire to live in.

A Constitution 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. This includes the type of government and also an agreement on certain ideals that they all believe the country should uphold.

Principles and ideals of a monarchy are quite different from those of a democracy. Therefore soon after the transition in the governing system in Nepal, the government started the process of making a new Constitution of Nepal because the earlier one did not suit their new setup.

The country of Nepal needs to change all its constitutive rules in order to usher in a new democratic society for which people had struggled for a long period.

The Constitution defines the nature of a country's political system. In a monarchy, king is the supreme power whereas in a democracy people rule the Country.

The government is run by the representatives elected by people at large.

The Constitution also describes rules that guard against misuse of power by the leaders. In India such provisions have been made in the section of Fundamental Rights.

The Indian Constitution guarantees the Right to Equality. In one of the Fundamental Rights to all persons and says that no citizen can be discriminated against on grounds of religion, race, caste, gender, and place of birth.

The Constitution ensures that a dominant group does not use its power against other, less powerful people or groups.

The Constitution also contains rules that ensure that minorities are not excluded from anything that is normally available to the majority. Thus the Constitution prevents the tyranny or domination by the majority of a minority.

The Constitution helps to protect us against certain decisions that we might take that could have an adverse effect on the larger principles that the country believes in.

After independence, it was unanimously agreed that India should be a democratic state where everyone must avail equal opportunity.

For this, there was a need for Constitution which could ensure a perfect democracy.

A group of around three hundred people who became members of the Constituent Assembly in 1949 and who met periodically for the next three years to write Indian Constitution.

There were so many factors, most of them quite contrary to each of them, to be assimilated with clear cut explanations that made the task very difficult. However, the Constitution was finalised with a lot of unique features.

Federalism is the prime feature of our Constitution which refers to the existence of more than one level of government in the country. In India there are governments at the state and the centre. Panchayati Raj is the third tier of the government.

While each state in India enjoys autonomy in exercising powers on certain issues, they are bound to follow the laws of the central government as a matter of national concern. The Constitution clearly defines the jurisdictions of powers of the government at state and that at center.

Parliamentary form of Government is the other feature of Indian Constitution which provides that the different tiers of governments shall constitute of the representatives elected by the people. It also guarantees universal adult suffrage for all citizens.

The provision for separation of powers in the Constitution of India recommends for three organs of the State: the legislature, the executive and the judiciary.

The legislature refers to our elected representatives whereas the executive refers to a smaller group of people who are responsible for implementing laws and running the government and the judiciary refers to the system of courts in the country for preventing the misuse of power by any branch of the State. It also ensures the balance of power between all three organs.

The feature of Fundamental Rights is the 'conscience' of the Indian Constitution. These Rights protect citizens against the arbitrary and absolute exercise of power by the State. The Constitution, thus, guarantees the rights of individuals against the State as well as against other individuals.

The Fundamental Rights in the Indian Constitution include:

1. Right to Equality,
2. Right to Freedom,
3. Right against Exploitation,
4. Right to Freedom of Religion,
5. Cultural and Educational Rights,
6. Right to Constitutional Remedies.

In addition to the Fundamental Rights there is the provision of Directive Principles of State Policy which ensure greater social and economic reform, and serve as a guide to the independent Indian State to institute laws and policies that help reduce the poverty of the masses.

Secularism, a key feature of the Indian Constitution, defines that a secular state is one in which the state does not officially promote any one religion as the state religion.

The Constitution, thus, 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: Usually a written document which contains the rules of governing a sovereign state.

Consensus: Agreement of all the people on an issue.

Democracy: A form of government in which people at large hold the ultimate power of governance. The representatives of people constitute the government and undertake the Constitutional responsibilities in order to achieve the ideals of the Constitution.

Fundamental Rights: The set of Rights which ensures the life of dignity and honor to all who live in its jurisdiction.

Equality: State of being equal in all respects.

Majority: Maximum in number.

Minority: Minimum in number.

Federalism: The existence of more than one levels of government in the country.

Representative: The person who is elected by people through a general election to represent a constituency in the government.

Secularism: A system under which a state does not officially promote any one religion as a state religion.

