

## Chapter-1

### Constitution: Why and How

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#### Revision Notes

1. A constitution is a written set of laws and fundamental principles to develop a relationship between the people and the government which comprises a number of articles about the state.
2. We need a constitution\Fuctions of Indian Constitution:
  - a. To provide a set of basic rules to allow for minimal coordination amongst the members of a society.
  - b. To specify how the government would be constituted and who has power to make decisions in the society.
  - c. To lay some limitations on government's power by guaranteeing rights to the citizens.
  - d. To enable the government to fulfill aspirations of a society and create conditions for a just society.
  - e. To express the fundamental identity of people.
3. The Constitution of India was framed by the Constituent Assembly between December 1946 and November 1949.
4. Constitution are often subverted ,not by the people,but by small groups,who wish to enhance their own power.Well crafted constitutions fragment power in society intelligently so that no single group can subvert the constitution.The Indian consitution horizontally,Executive and the Judiciary and even independent statutory bodies like the Election Commission. An intelligent system of checks and balance has facilitated the success of the Indian Constitution.
5. The Constituent Assembly spent 2 years 11 months and 18 days to prepare the constitution to be adopted on November 26, 1949 and came into force on 26 January, 1950.
6. The Constitutional Assembly had eight major Committees on different subjects.Usually,Jawaharlal Nehru, Rajender Parsad ,Sardar Patel or B.R Ambedkar chaired these Committees.Each Committee usually drafted particular provisions of the Constitution which were then subjected to debate by the entire Assembly.

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7. The Constitution of India is the Supreme Law to be accepted and respected by all the citizens as well as institutions of the country.
  8. Only one provision of the constitution was passed without virtually any debate : the introduction of universal suffrage(meaning that all citizen reaching a certain age,would be entitled to be voters irrespective of religion,caste,education,gender or income).
  9. The Constitution of India is a blend of flexibility and rigidity as it is federal in form but unitary in spirit.
  10. The main federal features of the Indian Constitution are written and flexible constitution, distribution of powers between the centre and the states, supremacy of judiciary and existence of bi-cameral legislature.
  11. The framers of Indian Constitution have borrowed a number of provisions as per the suitability of the nation from different countries, ilrb the British Constitution, the American Constitution, the Constitution of Canada, the Constitution of Ireland, the French Constitution, etc. along with the Government of India Act, 1935.