

PREAMBLE OF OUR CONSTITUTION

Preamble is very important part of our Constitution. Just like a book starts with a preface, similarly our Constitution starts with preamble. **Preamble gives objectives, desires and expectations from our Constitution. We borrowed this feature from the Constitution of the U.S.A.** The Preamble to the Indian Constitution is based on ‘**Objective Resolution**’, drafted and moved by **Pandit Jawaharlal Nehru**, and **adopted by the Constituent Assembly**.

The Preamble clearly shows that this Constitution has been made by the **people of India**. So, the **source of authority of the Constitution** is derived from the **people of India**. **The People of India are sovereign in our Country**. In the **UK**, the **sovereign is the “King in Parliament”**.

The **objectives** of our Constitution are to establish India as a **sovereign, socialist, secular, Democratic Republic** and to secure **Justice, liberty, equality & Fraternity** to all its citizens.

Main Features of the Preamble -

1. **Source of Authority of the Constitution** - The Preamble begins with “**We, the People of India**”, which shows that the Constitution derives its authority from the people of India. Thus, popular sovereignty is the ultimate source of constitutional power.
2. **Nature of the Indian State** - The Preamble describes India as a **Sovereign, Socialist, Secular, Democratic Republic**. “**Sovereign**” means India is independent to make its own domestic laws as well as its foreign policy without any external control. “**Socialist**” reflects the commitment to social and economic welfare. “**Secular**” signifies equal respect for all religions. “**Democratic**” means political power ultimately belongs to the people, while “**Republic**” indicates that the head of the State is not hereditary.
3. **Objectives of the Constitution** - The Preamble aims to secure **Justice, Liberty, Equality and Fraternity** to all citizens.

4. **Date of Adoption** - The Preamble records that the Constitution was adopted, enacted and given to ourselves on **26 November 1949**. However, most of its provisions came into force on **26 January 1950** and **26 January** is celebrated as **Republic Day** every year.

Sovereign - Sovereignty in the Preamble means that **India is supreme and independent in both internal and external matters**.

- **Internal Sovereignty:** India has the supreme authority to **make and enforce** its own domestic laws within its territory without interference from any external power.
- **External Sovereignty:** India is free from external control and can independently formulate its **foreign policy, enter into treaties** with other countries, and **join international organisations** according to its own national interests.

Socialist - Socialist means that the State aims to **ensure economic equalities** and **prevent the concentration of wealth** in a few hands. The benefits of economic development should reach all sections of society, ensuring social and economic justice and promoting a more equitable distribution of resources. The benefit of development must reach the poorest.

Our preamble has been amended once by 42nd Constitution Amendment Act 1976. This amendment was enacted on the recommendation of the **Sardar Swaran Singh Committee**. Three new words were added in our Constitution i.e. **Socialist, Secular** and **integrity** to make it very clear that we want to establish a **socialistic society**, avoid concentration of wealth in few hands and benefit of development must reach to all sections of the society. Similarly our aim is to establish a **secular State** with respect to all religions but no religion of the State and integrity of our country is of utmost importance to us.

Although these words were **not expressly present in the original Preamble**, their underlying principles were already reflected in various provisions of the Constitution, such as Fundamental Rights, Directive Principles of State Policy and other constitutional provisions and through this amendment it was made clear and showed emphasis on these principles.

THE CONSTITUTION OF INDIA PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a **¹[SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC]** and to secure to all its citizens :

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity and to promote among them all;

FRATERNITY assuring the dignity of the individual and the **²[unity and integrity of the Nation]**;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949 do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

1. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Sovereign Democratic Republic" (w.e.f. 3.1.1977)
2. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec.2, for "Unity of the Nation" (w.e.f. 3.1.1977)

Preamble as a Part of Constitution -

- **The Berubari Vs. Union Of India (1960)** - Supreme Court in Beru Bari case 1960, ruled that **preamble is not a part of our Constitution.**
- **Keshvanand Bharti vs. State Of Kerala (1973)** - In Keshvanand Bharti case 1973, Supreme Court changed its previous ruling and said that **preamble is a part of our Constitution** and preamble narrates the objectives and aspirations of our Constitution.
- **LIC of India Case (1995)** - The Court reiterated that the **Preamble is an integral part of the Constitution.** However, it clarified that the **Preamble cannot be directly enforced in court as a standalone provision.**

