

**VIDYA BHAWAN BALIKA VIDYAPITH SHAKTI UTTHAN ASHRAM
LAKHISARAI**

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Ch:2.CONSTITUTIONAL DESIGN (NOTES)

READ THE FOLLOWING PARAGRAPH THOROUGHLY AND TRY TO UNDERSTAND.

The Path to the Constitution

One of the major advantages for the makers of the Indian Constitution was that consensus about what a democratic India should look like had already evolved during the freedom struggle. In 1928, Motilal Nehru and eight other Congress leaders drafted a constitution for India and In 1931, the resolution at the Karachi session of the Indian National Congress dwelt on how independent India's constitution should look like. Both these documents included features such as Universal Adult Franchise, Right to Freedom and Equality and to protecting the rights of minorities in the constitution of independent India. These basic values were accepted by all leaders much before the Constituent Assembly met to deliberate on the Constitution. That is why the Indian constitution adopted many institutional details and procedures from colonial laws like the Government of India Act, 1935. Many of our leaders were inspired by the ideals of the French Revolution, the practice of parliamentary democracy in Britain and the Bill of Rights in the US.

The Constituent Assembly

The drafting of the constitution was done by an assembly of elected representatives called the Constituent Assembly. Elections to the Constituent Assembly were held in July 1946 and its first meeting was held in December 1946. Soon after, the country was divided into India and Pakistan and the Constituent Assembly was also divided into the Constituent Assembly of India and that of Pakistan. The Constituent Assembly that wrote the Indian constitution had 299 members. The Assembly adopted the Constitution on 26 November 1949 but it came into effect on 26 January 1950. To mark this day we celebrate January 26 as Republic Day every year.

Why should we accept the Constitution made by this Assembly more than six decades ago?

- The Constitution does not reflect the views of its members alone. It expresses a broad consensus of its time.
- The second reason for accepting the Constitution is that the Constituent Assembly represented the people of India.

- **Finally, the manner in which the Constituent Assembly worked gives sanctity to the Constitution. The Constituent Assembly worked in a systematic, open and consensual manner.**

First, some basic principles were decided and agreed upon. Then a Drafting Committee chaired by Dr B.R. Ambedkar prepared a draft constitution for discussion. Several rounds of thorough discussion took place on the Draft Constitution, clause by clause. More than two thousand amendments were considered. Every document was presented and every word spoken in the Constituent Assembly has been recorded and preserved. These are called 'Constituent Assembly Debates.'

SUBJECT TEACHER MUKESH KUMAR