

# Constitution of India



Presentation for School Children



न्याय विभाग  
DEPARTMENT OF  
**JUSTICE**

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A

# History of republics in Ancient India



1. History of republics in Ancient India
  - i. Types of Republic
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  - iv. Timeline of the republics

# History of Republics in Ancient India

Ancient republics of India are the world's oldest

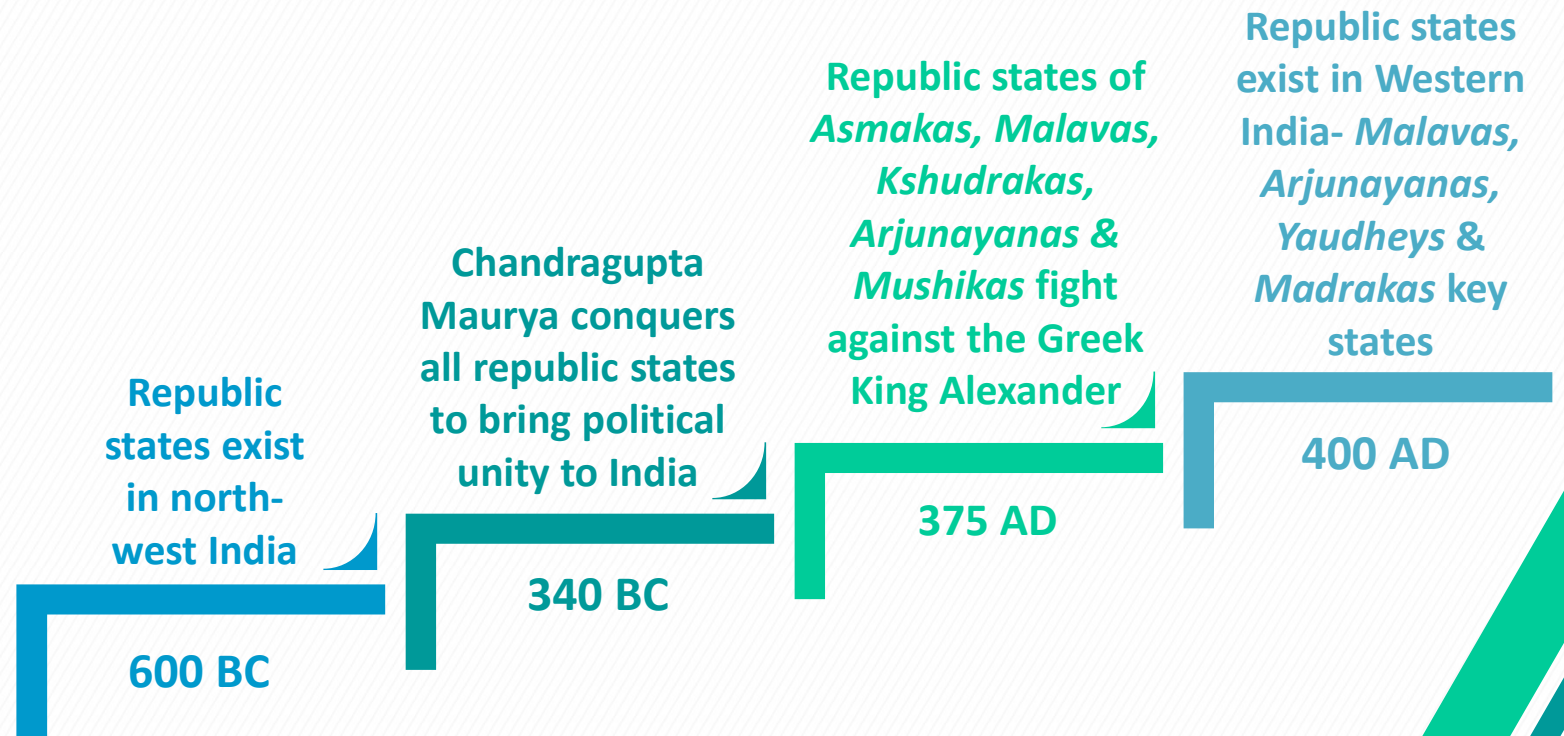
## Indian Republic oldest

Ancient republics or 'Janpadas' such as Vaishali, Kapilvastu, Mithila etc. date back to 600 BC. Eminent historian Dr K.P. Jayaswal believes the concept of republic in ancient India is older than of the Roman or Greek republic system of Government.

### Sources:

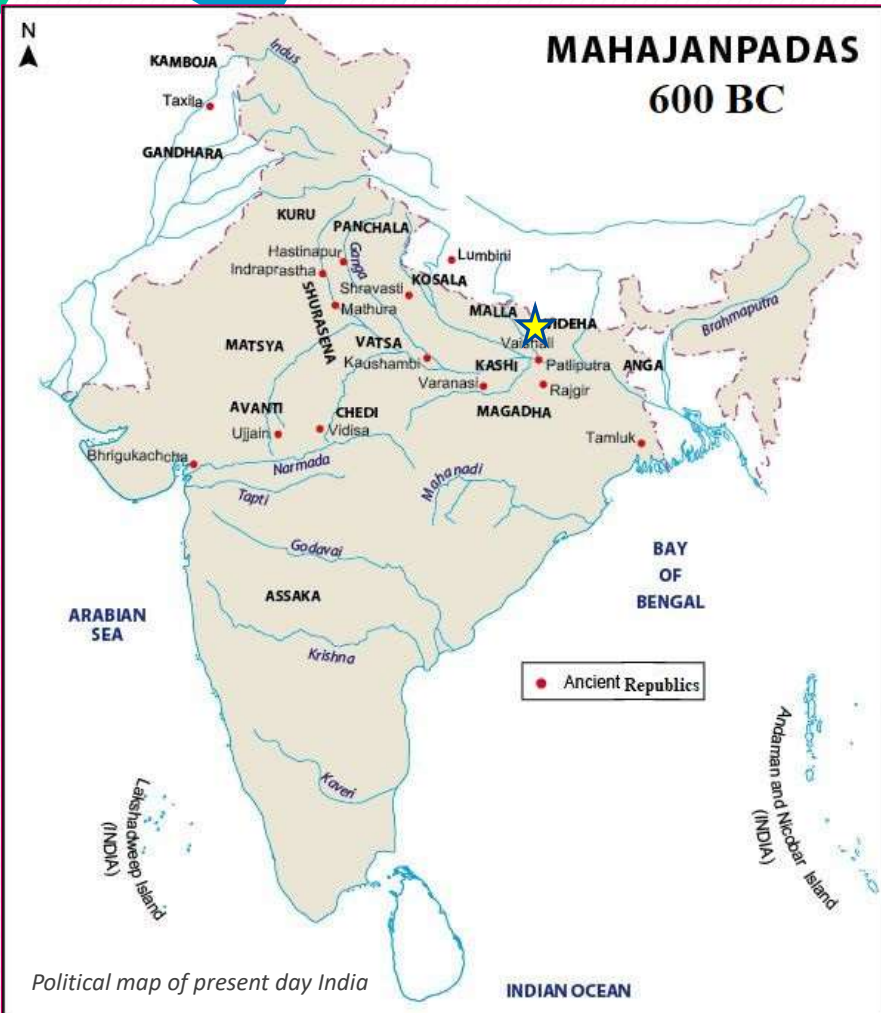
- 1.Hindu Polity - A Constitutional History of India in Hindu Times by Prof K.P. Jayaswal
- 2.A history of Indian political ideas by Prof U.N. Ghoshal
- 3.Republics in Ancient India by J.P. Sharma

## Timeline of Republic States



# Important Republic States in Ancient India

Concentrated near present day Bihar and Nepal border



## Important Mahajanpadas of 600 BC

S No.	Sect	Republic State	Present Location
1	Lichchavis	Vaishali	North of Patna, Bihar
2	Sakyas	Kapilvastu	Southern Nepal
3	Mallas	Pava	-
4	Mallas	Kushinagra	-
5	Koliyas	Ramagrama	South-East Nepal
6	Bhagyas	Sunsamagiri	East UP
7	Mauryas	Piphalivana	Himalaya Foothills
8	Kalamas	Suputa	-
9	Videhas	Mithila	Nepal Border
10	Ghvatrikas	Kollanga	Nepal Border

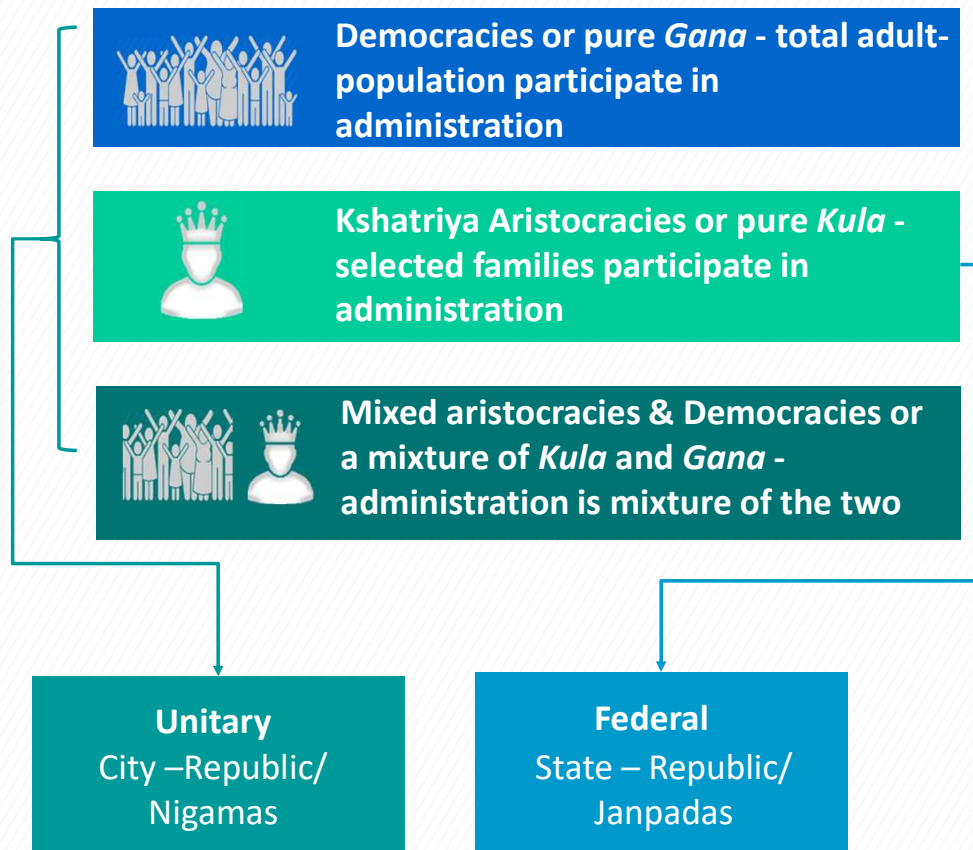
Sources:

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# Governance Structure in Republics (1/3)

3 Types- Democracy/ Aristocracy/ Mixture

## Types of Republics in Ancient India

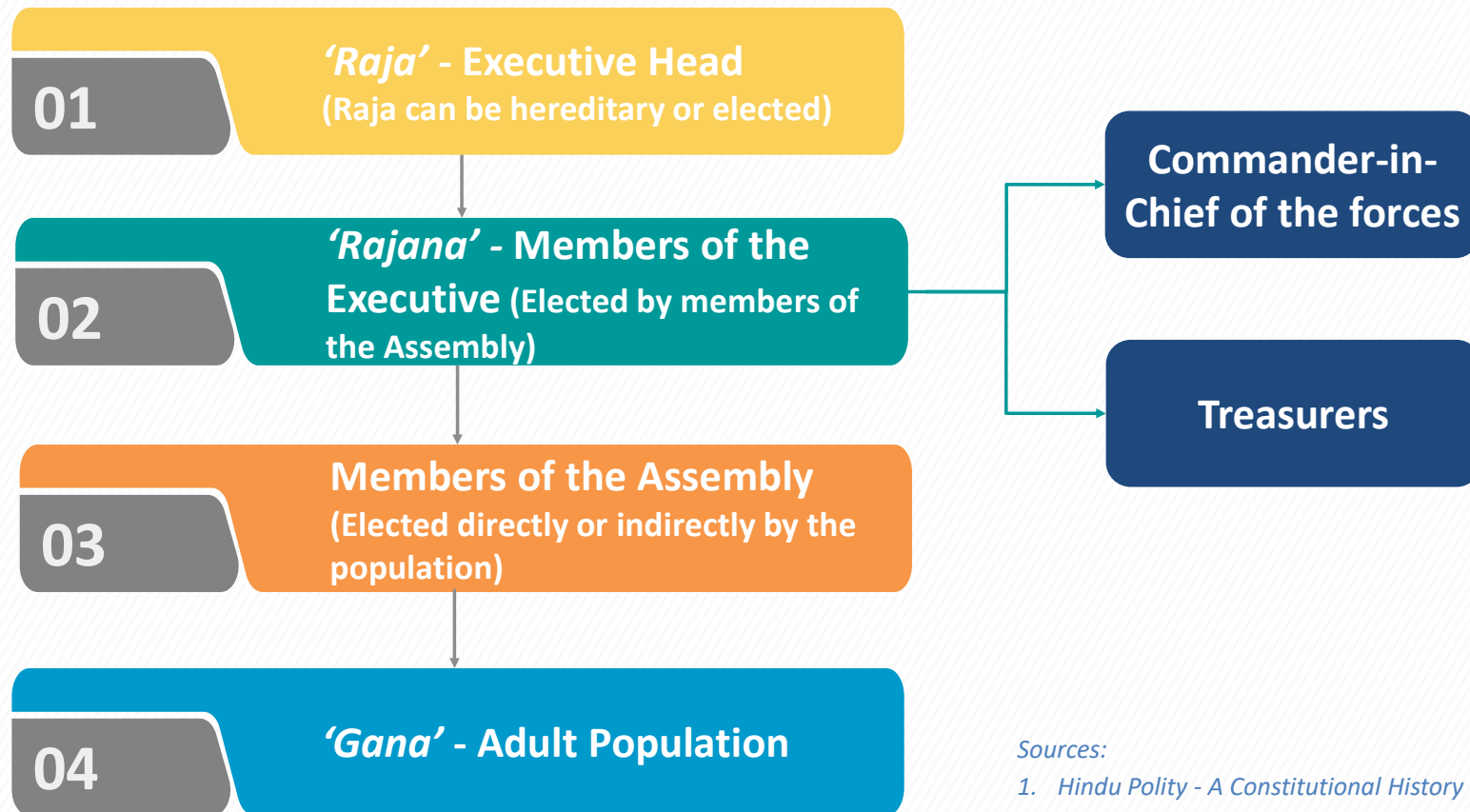


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# Governance Structure in Republics (2/3)

Legislative/ Executive Structure



Sources:

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# Governance Structure in Republics (3/3)

Democratic procedures

## Decision Making

- Decisions were undertaken through a voting system

## Right to Rule

- Right to rule was according to settled laws of the State

## Right to frame laws

- Some States gave the right to frame laws & elect members of executive to only Kshatriya families
- Other States gave this right to heads of joint-families
- Still other States gave the right to all male-adult population

## Election & Voting

- Different voting qualifications, methods of elections and areas under administration in different states

## Power to govern

- Some States gave wide autonomy to local assemblies to look after their respective administrations- Matters concerning the state were decided by elected representatives of the local assemblies;
- In other States, powers to govern entire state were with an elected central assembly & executive

Each republic followed a broad pattern of elections, permitted all citizens or their groups to participate in administration & framing of laws and, pursued democratic procedures as primary conditions for governance of the state

This is the foundation of Indian Constitutional Republic

# B

## What is the Constitution?



*These inscriptions in Hindi and English at the Central Hall of Parliament House refer to the meeting of the Constituent Assembly of India in this Hall from Dec. 9, 1946 to January 24, 1950.*

1. What is the Constitution?
  - i. Need for a Constitution in a democracy
  - ii. The Constitution of India
  - iii. Organs of the Constitution

# Need for Constitution in a Democracy

What does the Constitution provide to its citizens?



- 📖 In a democracy, the Constitution is a sacred text for the Government- It lays a strong foundation for a parliamentary democracy to function.
- 📖 The Constitution is the supreme law of a Nation
- 📖 India is the largest democracy in the world, and its Constitution serves as a guiding light for it to function smoothly and vibrantly.
- 📖 Ever evolving, the Constitution of India is dynamic and adapts itself to changing times, to address the changing needs and requirements of a developing nation.

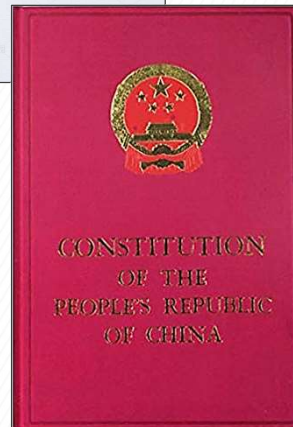
# Interesting Facts about written Constitutions of Federal Republic

Did you know?

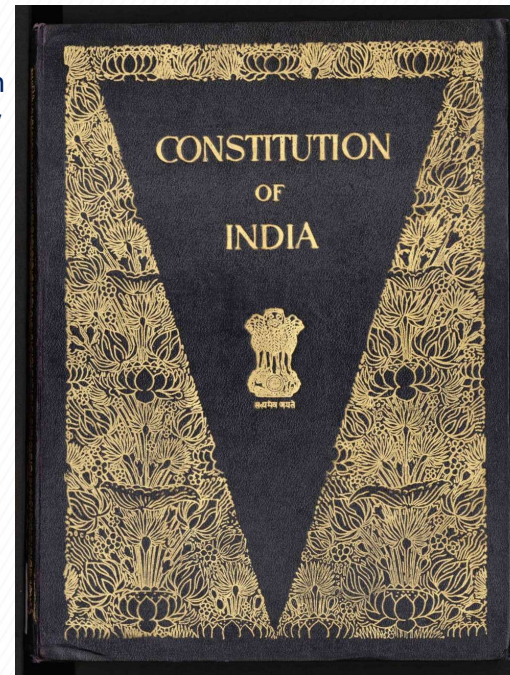
1. The Indian Constitution's name is borrowed from the US
2. Its positions & functions is borrowed from the British Constitution



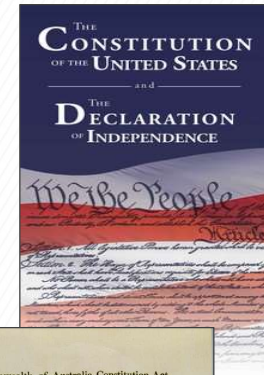
The Constitution of Germany



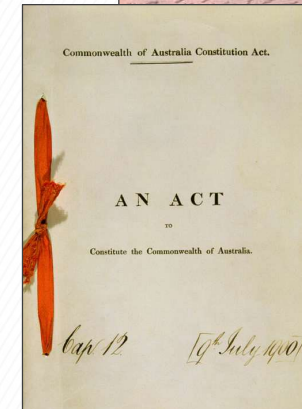
The Constitution of the People's Republic of China



Cover page of the calligraphic copy of the Constitution of India in English



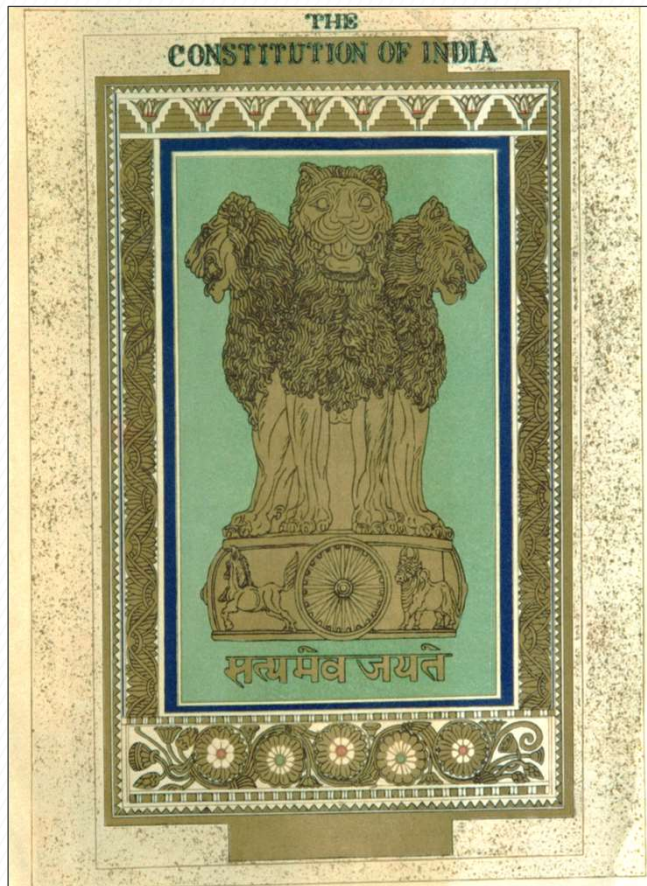
The American Constitution- The oldest Constitution in the world



The Australian Constitution

# Constitution of India

Definition, Structure & Key Features



- The Constitution of India is the foundational law laying down the basic political structure of India – i.e. a Parliamentary Democracy and a Republic with a Federal Structure
- It defines the 3 organs of the Republic of India – the Executive, the Legislature and the Judiciary and clearly defines their power as well as demarcates their responsibilities

World's  
Longest

The original copy of the Indian Constitution is 251 pages long- it is the most detailed in the world

Contents

It contains 395 Articles, 22 Parts and 12 Schedules

Amendments

It has undergone 103 amendments till date

# Interesting Facts about Indian Constitution

The Indian Constitution is completely hand-written and designed



*Expert Translation Committee meeting held at Council House, New Delhi on 22 January 1950 under the Chairmanship of Shri G.S. Gupta for signing the Hindi translation of the Constitution of India.*

- Sh. Nand Lal Bose, a pioneer of modern Indian Art, designed the borders of every page of the Constitution and adorned it with art pieces.
- Sh. Prem Behari Narain Raizada, a master of calligraphic art, single-handedly handwrote the Constitution.
- Although it took him 6 months to complete the task, yet he charged no money for his work.

Did you know?

*The original manuscript of the Constitution was written on parchment sheets measuring 16X22 inches having a lifespan of a thousand years! It weighed 3.75 kgs.*

# C

## Making of the Constitution



*Pandit Jawaharlal Nehru addressing the inaugural session of the Constituent Assembly on 13.12.46.*

1. Making of our Constitution
  - i. Founding Fathers of our Constitution
  - ii. The Constituent Assembly

# The Constituent Assembly

Set up to draft the Constitution of India



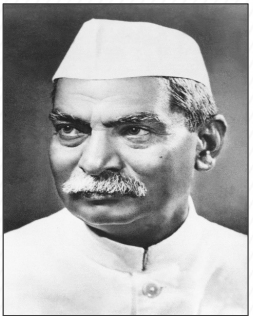
*The President of the Constituent Committee- Dr Rajendra Prasad  
with other members*

- The Constituent Assembly (CA) was set up in 1946 under the leadership of Dr Rajendra Prasad to draft the Constitution
- The CA took 3 years (1946-49) to complete the drafting
- The CA had 299 elected members from Provincial Legislative Assemblies
- The CA had 13 committees including the drafting committee
- The Constitution was adopted in 1949 when 284 members signed it, marking the completion of the Constitution making process



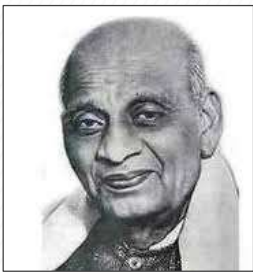
# Founding Fathers of our Constitution

Key figures in India's constitution-making process



**Dr. Rajendra Prasad**

- President of the Constituent Assembly.
- Elected as the first President of independent India On 24<sup>th</sup> Jan 1950, at the last session of the Constituent Assembly
- Distinction of being the only President to have been re-elected for a second term (1950-1962).



**Sardar Vallabh Bhai Patel**

- Sardar Vallabhbhai Patel was a key member of the Constituent Assembly
- He was instrumental in the integration of over 500 princely states into the Indian Union.

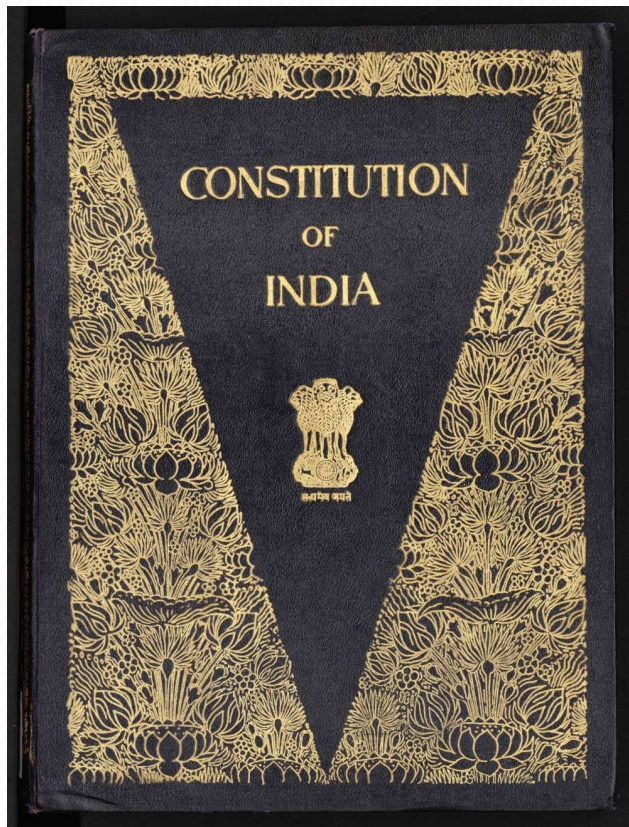


**Dr B.R. Ambedkar**

- Referred to as the 'Father of the Constitution', Dr Ambedkar played a leading role in the Constitution's framing process
- He was the Chairman of the Assembly's most crucial committee – the Drafting Committee.
- He was directly responsible for preparing the draft Constitution for Independent India.
- Appointed as the first Law Minister of independent India in 1947.

# D

## Essential Features of the Constitution

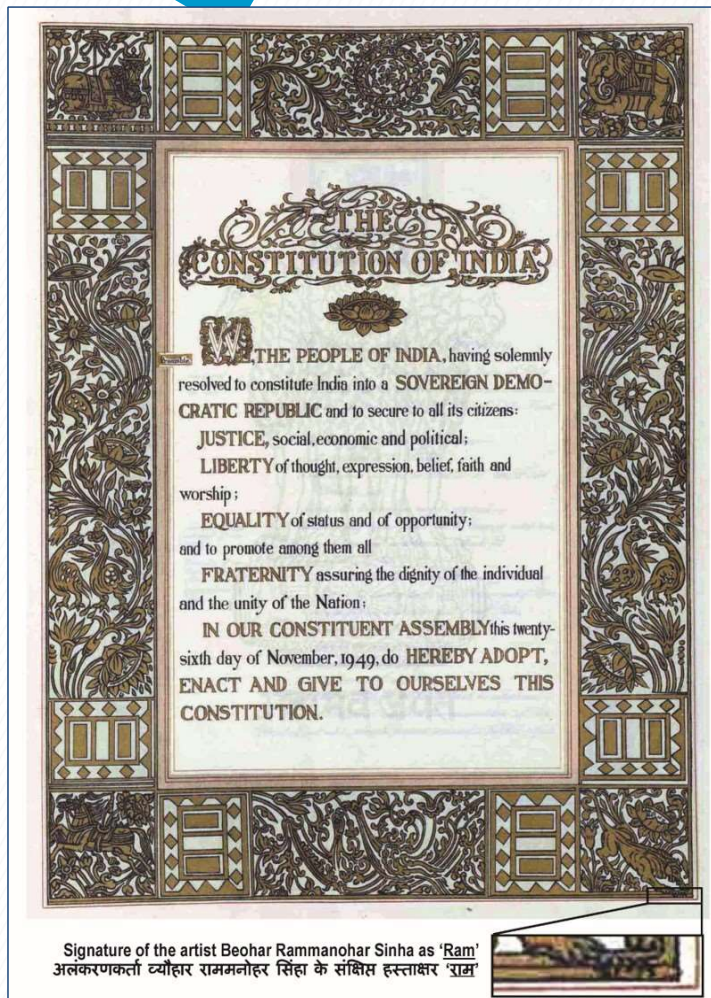


### D. Essential Features of the Constitution

1. The Preamble
2. The Fundamentals Rights, Duties & Principles of State Policy
3. Federal Structure & Institutions
  - i. Executive
  - ii. Legislature
  - iii. Judiciary
  - iv. Constitutional Bodies: UPSC, ECI CAG
4. The States
  - i. State Executive
  - ii. State Legislature
  - iii. State Judiciary
5. Relation between the Union & States

# Essential Features- The Preamble

The preamble assures the dignity of every Indian citizen



## The Preamble

- A brief introductory statement setting out guidelines for the people of the nation as well as presenting principles of the Constitution
- Preamble is the preface which highlights the entire Constitution and embodies fundamental values, philosophy & ethos on which our Constitution is based and built.
- It includes Fundamental Rights (Liberty of thought, expression, belief, faith & worship) and Fundamental Duties (Justice, social, economic & political).
- The whole edifice of the Constitution and structure of the political system protect and promote constitutional values embodied in the Preamble

# Essential Features- Fundamental Duties, Rights & Principles

2

## I- Fundamental Duties

### Definition of Fundamental Duties

- FDs prescribe the fundamental, moral, and obligatory duties of citizens to nation.
- Focus on key values of respect, pride, tolerance, peace, growth and harmony
- Enshrined in Part IV A of Constitution

### Need for Fundamental Duties

- Rights and duties are complimentary to each other.
- Wherever there are rights, there are duties.
- One can't think of rights without duties.

### 11 Fundamental Duties

Abide by the Constitution, National Flag and Anthem



Uphold Sovereignty, Unity and Integrity of India



Promote Harmony and Brotherhood



Protect and Improve Natural Environment



Safeguard Public Property and Abjure Violence



Provide Opportunities for Education



Cherish the ideals of Freedom Struggle



Defend the Country and render National Service



Preserve Rich Heritage of Composite Culture



Develop Scientific Temper, Humanism etc.



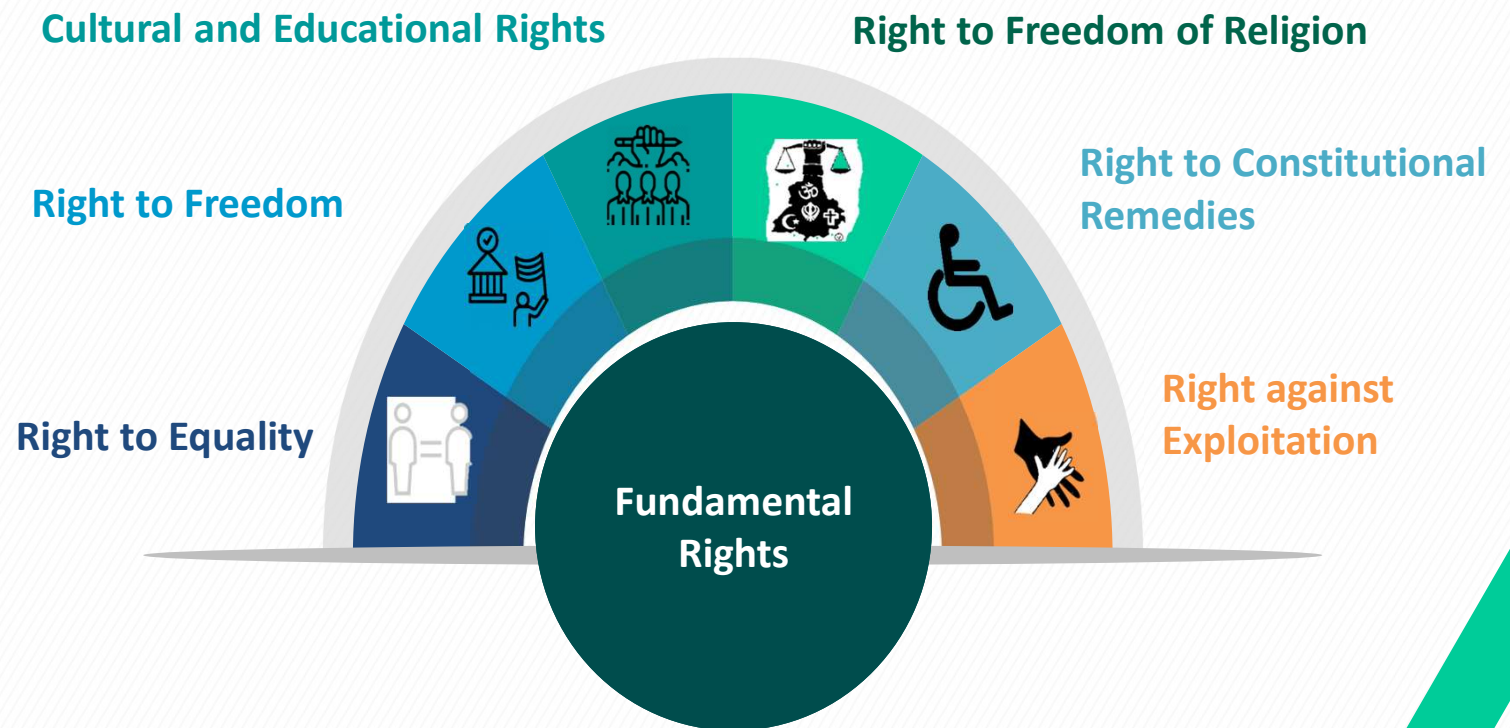
Strive for Excellence

# Essential Features- Fundamental Duties, Rights & Principles

2

II- Fundamental Rights

- Fundamental Rights are traditional civil and political rights given in the Universal Declaration of Human Rights
- Fundamental rights are enshrined in Part III of the Constitution





# Essential Features: Federal Structure

3 Organs of the Constitution/ 3 Wings of Governance

3

3 Organs



## The Executive –

- ❖ The President of India
- ❖ The Vice President of India
- ❖ Council of Ministers



## The Legislature –

- ❖ The President of India
- ❖ Rajya Sabha (The Council of States)
- ❖ Lok Sabha (The House of the People)



## The Judiciary –

- ❖ The Supreme Court
- ❖ The High Courts
- ❖ The Subordinate Courts

# Essential Features: Federal Structure

## The Executive

3

Union Executive consists of President, Vice-President & Council of Ministers

### President

- The complete Executive power of the Union is vested in the President including:
  - Executive powers directly/ through officers
  - Powers to appoint high functionaries of the State such as judges of the Supreme Court & High Courts
  - Military powers as the Supreme Commander of the armed forces
  - Power to grant pardon/ reprieve etc.
  - Diplomatic powers including appointment of ambassadors
  - Legislative powers including powers to summon both Houses
  - Emergency powers
- Elected by members of the two houses and Legislative Assemblies of the States

### Vice- President

- Chairman of Rajya Sabha
- Elected by members of the two houses and Legislative Assemblies of the States

### Council of Ministers

- Council of Ministers or '*Cabinet*' aid and advise the president; President acts on Cabinet's advice
- Headed by the Prime Minister, appointed by the President
- Ministers in the Council are appointed by President on advice of Prime Minister
- Council of Ministers is collectively responsible to Lok Sabha
- Prime Minister is the communication channel between Council of Ministers and President

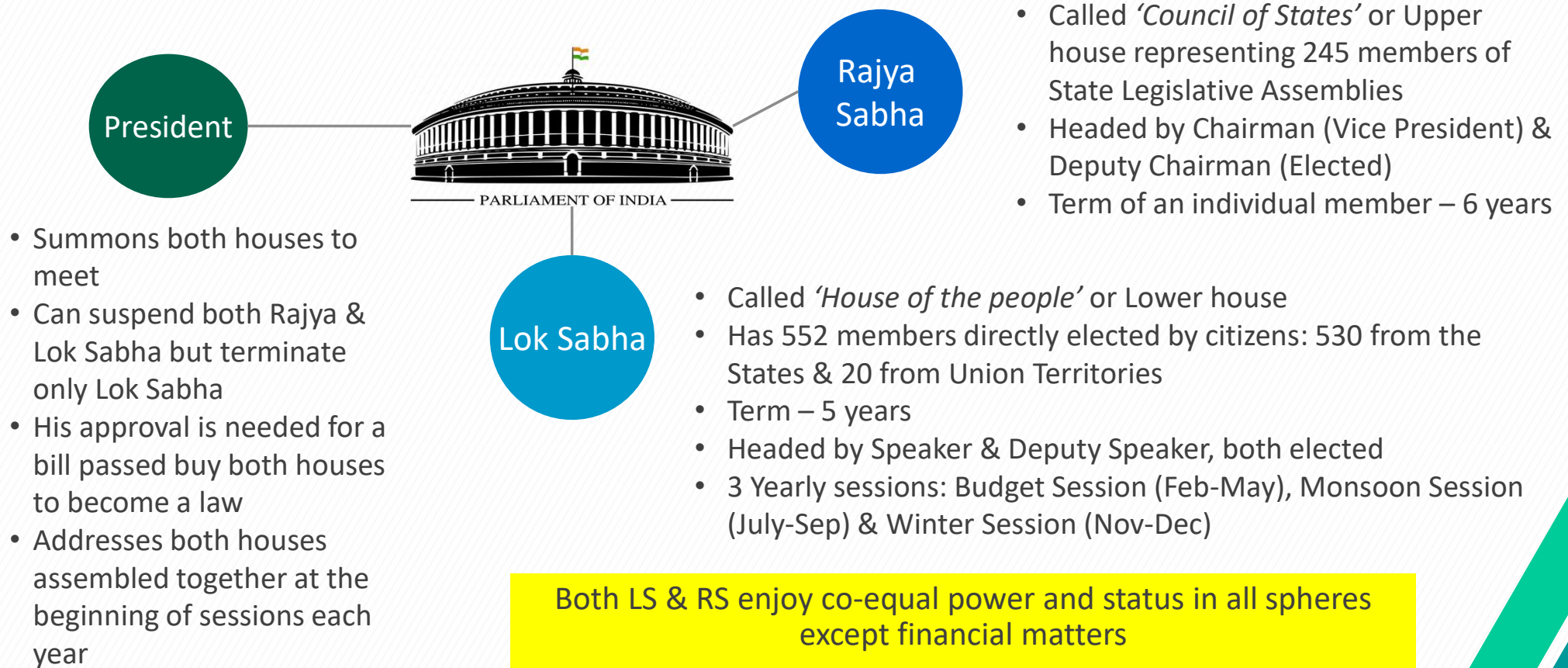


# Essential Features: Federal Structure

3

## The Legislature

Union Legislature/ Parliament consists of President, Rajya Sabha (Council of states) & Lok Sabha (House of People)



# Essential Features: Federal Structure

## The Judiciary

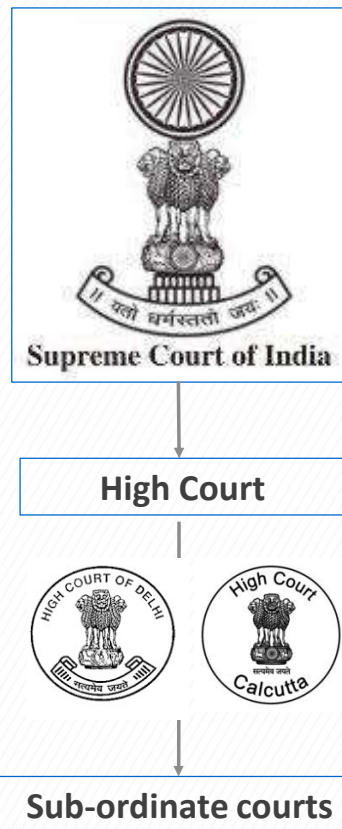
India has a unified judiciary system with the Supreme Court at the top

### Supreme Court

- Topmost position in Indian judicial hierarchy – Apex of the national judicial system
- Supreme interpreter of the Constitution
- Guardian of citizens' fundamental rights
- Ultimate court of appeal in civil & criminal matters
- Headed by Chief Justice of India, appointed by President

### Subordinate Courts

- System of subordinate courts comes below the High Courts



### High Courts

- High courts come below the Supreme Court in Indian judicial hierarchy
- Each State in India has a High Court; the parliament, by law, can establish a common High Court for two or more States
- 17 State High Courts
- 4 Common High Courts
  - I. Gauhati High Court (Common Court of 7 North-East States)
  - II. Calcutta High Court (Common Court of UT of Andaman & Nicobar Islands)
  - III. Bombay High Court (Common Court for Goa & UTs of Daman & Diu and Dadra & Nagar Haveli)
  - IV. Chandigarh High Court (Common Court for Punjab & Haryana)

# Essential Features: Constitutional Functionaries: CAG, ECI, UPSC

3

Constitutional Institutions with autonomy & freedom

Constitution has mandated several institutional mechanisms like the Judiciary, Vigilance bodies and an independent Supreme Audit Institution (SAI)

## Comptroller and Auditor General of India (CAG)

- CAG and the Indian Audits and Accounts Department (IAAD) constitute SAI of India
- Mandated as Auditors to the nation by the Constitution
- Instrument for ensuring accountability
- Audits revenue collection, aids/ grants receipts and expenditure of the Government (Centre & States)
- Appointed by President

## Election Commission of India (ECI)

- Election Commission superintends, directs and controls all elections to Parliament, State Legislatures & to the offices of the President and Vice-President

## Union Public Service Commission (UPSC)

- Commission mandated by Constitution for appointments to the services of the Union and All India Services.
- Reports directly to the President
- Advises Government in matters relating to the appointment, transfer, promotion and disciplinary matters of officers

# Essential Features- The States

## I- State Executive

### Governance Structure in States

- Provisions for the States follow the union pattern, however Some States enjoy special status and have certain special provisions
- Like the Central Government, a State Government also follows the parliamentary system



महाराष्ट्र शासन

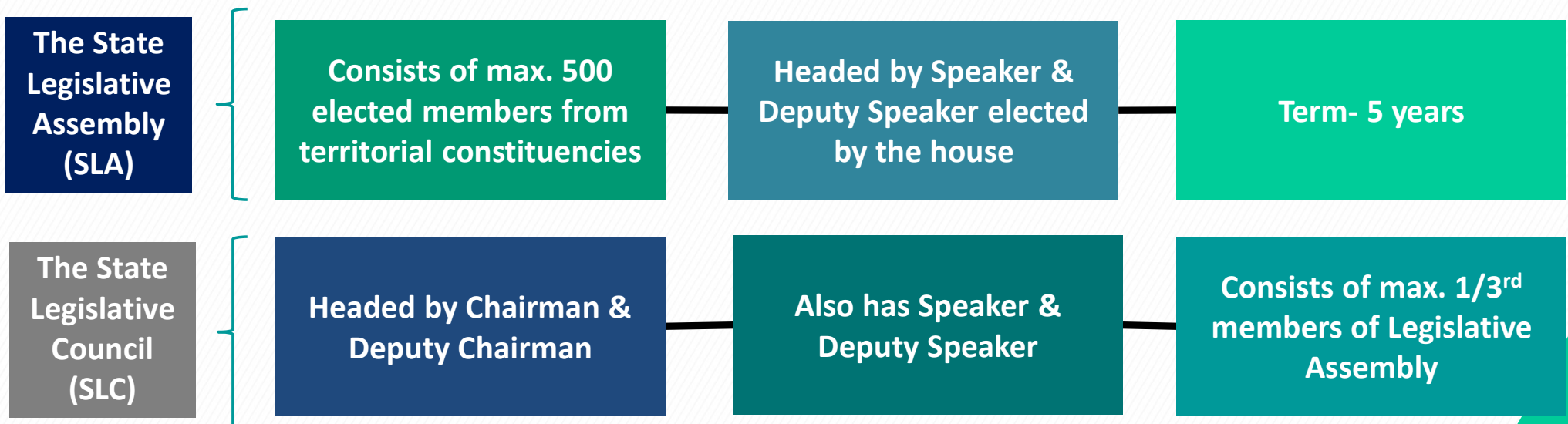
### State Executive (Governor + Council of Ministers)

- Every State has a Constitutional head (Executive) and Ministerial Responsibility to the popular house of the Legislature
- State Executive is headed by the Governor, appointed by President
- Although the Governor is the Constitutional Head, the Ministers exercise the real executive power; No. of ministers in each State is limited to 15% of total membership of Legislative Assembly

# Essential Features- The States

## II- State Legislature

- The State Legislature consists of Governor and Legislative Assembly
- Some States may have two houses- Legislative Assembly (Lok Sabha) & Legislative Council (Rajya Sabha)
- State Legislature has exclusive jurisdiction to legislate on items in the State list



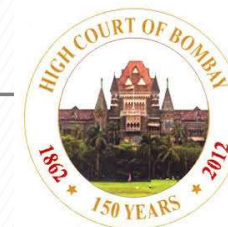
# Essential Features- The States

## III- State Judiciary (1/2)

State Judiciary consists of a High Court & a system of Subordinate courts



**Madras High Court**



### High Courts



*The Bombay High Court*

- State Judiciary consists of a High Court & a system of subordinate courts
- High Court is the apex of the State judicial system
- Play a very significant role in administration of justice; have wide jurisdiction
- Several high courts have a principal bench and other benches with separate territorial jurisdictions
- Chief Justice- Administrative authority of High Court

# Essential Features- The States

4

III- State Judiciary (2/2)

State Judiciary consists of a High Court & a system of Subordinate courts

## Subordinate Courts



- Subordinate judiciary is a very important segment of judicial system as it is the closest to the people – Judiciary comes in close contact with people through Subordinate judiciary
- High Courts maintain and uphold the honour and integrity of Subordinate judiciary in the concerned State
- System of Subordinate courts comprise of District courts, Fast track courts, Family courts etc.
- Legislative power regarding High courts and Subordinate courts are distributed between Centre and the States



# Relation b/w Union & States

Union List, State List & Concurrent List

## Administrative relations

- Executive powers of States to ensure compliance with Parliament laws
- Union Executive to give directions to States

## Legislative relations

- The Constitution of India distributes power of the State between the Union and its constituent States
- Seventh schedule of the Constitution embodies 3 lists: Union, State & Concurrent
- Article 246 lays down that the Union Parliament has exclusive jurisdiction to make laws on items in the Union List and the State Legislature has exclusive power to make laws on items given in the State list
- For Concurrent list, both Union and State Legislatures can legislate

## Financial relations

- Union to provide financial support to States through grants and sharing of tax proceeds



# Thank You



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