

## **Making of the Constitution**

- Making of the Indian Constitution: Constituent Assembly
- The Indian Constitution is a single document that is written and codified, and enacted by a single body. The Indian Constitution came to be adopted in the year 1949 on 26th November and members of the parliament signed it on January 24 in 1950.
- The Indian Constitution is an amalgamation of supreme, rigidity, and flexibility.
- The Constituent Assembly had been written and debated between December 1946 to January 1950.
- The consensus was required by the freedom struggle which transformed society and politics.
- The document was lengthy and comprised 395 Articles and 8 Schedules.
- Making of the Indian Constitution
- The draft for the Indian Constitution came to be prepared in 1928 by Motilal Nehru and other 8 members of Congress.
- In 1931, a resolution came to be given on the idea of a constitution for an independent India at the Karachi Session of the Congress.
- Basic values like Universal Adult Franchise, the right to freedom and equality as well as rights for minorities were withdrawn from the resolution and the experience of colonial rule helped for the development of legislative institutional design for India.
- Making of Indian Constitution: Timeline
- The Indian Constitution took three years to be drafted and eleven sessions were held over 165 days cues from various constitutions were taken for drafting the constitution.

<b>Dates</b>	<b>Events</b>
1934	MN Roy gave the idea of a Constituent Assembly for framing Indian Constitution.
1935	The idea of forming a Constituent Assembly came to be supported by leaders of Congress and demand was put forward.
1938	On behalf of the Indian National Congress, Jawaharlal Nehru demanded the constituent assembly consisting of Indians only.
1940	In the August Offer, the British accepted this demand.
1942	The Cripps Mission before Quit India Movement said that the formation of Constituent Assembly would be after World War II.
1946	The Cabinet Mission formed Constituent Assembly. Constituent Assembly consisted of: 389 seats and the majority of seats were by Congress-208.
9th December 1946	The initial meeting of the Constituent Assembly took place with 211 members and the first president was Dr. Sachidanand Sinha.
11th December 1946	The Permanent President was Dr Rajendra Prasad and Vice President was H.C.Mukherjee and The constitutional advisor was B.N. Rao.
13th December 1946	The philosophical structure of the Constitution was laid by Jawaharlal Nehru and passed on

Dates	Events
	22nd July 1947.
3rd June 1947	<p>Lord Mountbatten had planned for two constituent assemblies and the number of seats was reduced to 299 and the first Parliament of India, a constituent assembly came to be formed.</p> <p>The first speaker was G.V.Malvankar and the chairman was Dr. Rajendra Prasad.</p>
26th November 1949	The Constitution of India came to be made.

### **Demand for Constituent Assembly:**

- The British Parliament came to be presented with Indian Commonwealth Bill in 1925, which is one of the most important constitutional reforms, and the report by Motilal Nehru was considered to be the first major attempt at full fledged constitution in 1928.
- Between the years 1930-32, three round table conferences were convened.
- In 1934, the idea for a constituent assembly was forwarded by M.N.Roy, and in 1935, Congress demanded a constituent assembly for framing the constitution.
- In 1938, Jawaharlal Nehru said the constituent assembly should consist of elected members based on a universal adult franchise.
- In 1940, the demand was accepted by the British government and this was termed an August offer in 1942.
- In 1946, the Constituent Assembly was formulated on basis of a cabinet mission.

### **The Constituent Assembly:**

- The members of the Constituent Assembly were the elected representatives who drafted the document of the Indian constitution.

- The elections to this Assembly were held in 1946 July and the first meeting was held on December 1946.
- Because of partition, the constituent assembly was also divided.
- The Constituent Assembly is constituted of 299 members who adopted the constitution on 26 November 1947 and came into effect on 26 January 1950.
- There were 8 Major committees and 15 minor committees in the constituent assembly for different subjects.

<b>Name of the Major Committees</b>	<b>Chairman</b>
Union Power Committee	Pandit Jawaharlal Nehru
Union Constitution Committee	
States Committee	
Provincial Committee	Sardar Vallabhbhai Patel
Drafting Committee	B.R. Ambedkar
Advisory Committee	Sardar Vallabhbhai Patel
Rules Committee	Rajendra Prasad
Steering Committee	

### **Making of the Indian Constitution:**

- An Objective Resolution was passed by Jawaharlal Nehru on 13th December 1946 which laid down the philosophical structure of the constitution of India.
- Jawaharlal Nehru had great aspirations for framing of the Constitution of India which was adopted on 22nd July 1947, based on the Preamble of the Indian Constitution.

## **Enactment and Enforcement of the Constitution:**

- The motion for Draft Constitution was proclaimed on November 26, 1949, for gaining the signatures of the members as well as that of the President, and the Preamble was enacted by the Constitution.
- The Constitution was accepted on November 26, 1949, with a Preamble, 395 Articles, such as Articles 5 to 9, Articles 379, 380, 388, 392, and 393.
- Remaining of the articles came into effect on Republic Day, 26 January 1950.
- The Indian Independence Act of 1947 and the Government of India Act of 1935 were repealed after the Constitution of India came into effect.
- Our constitution at present has 448 Articles, 25 Parts, and 12 Schedules.

## **Women and The Constituent Assembly:**

- Women played a very important role in the creation of the Indian Constitution, which is an important role in the Constituent Assembly and many women members of the Constituent Assembly also contributed to the creation of an independent Indian Constitution.
- Rajakumari Amrit Kaur was the first woman of independent India to be appointed to Cabinet as Health Minister and established AIIMS and Lady Irwin College in Delhi.

## **Indian Constitution: Challenges**

- After being under British rule for almost 300 years (200 years under company rule and 100 years ) India attained independence after a consistent struggle for many decades in the form of movements and sacrifices of many freedom fighters.
- After attaining independence the main task before our leaders were to design a constitution. The creation of the constitution for an immense and diverse nation like India was not a simple undertaking.
  - The nation was conceived through a segment based on partition. This was an awful experience for individuals in India and Pakistan. Many people on both sides of the border lost their lives in the violence created due to the partition.
  - Another challenge faced was the merger of princely states in the nation. The British left it to the choice of the princely states whether to unite into India or Pakistan. The making of the constitution in such a situation for a secure and stable future for the country was an immense task.

- Indian diversity was a crucial factor to be kept in mind. The constitution to be made was to satisfy the people who are entangled in different religions, cultures, castes, and languages.

### **Merits of the Indian Constitution:**

- Amidst these challenges, India had an advantage which is the consensus on how the nation and constitution should be.
- With the Indian freedom struggle, the leaders got an accurate idea about how the Indians are and what system should be right for Indian society.
- Even though people had some differences, the basic outline and ideas were accepted by the majority of the people.
- Both Motilal Nehru's and the Congress Karachi session's reports were focused on the incorporation of all-inclusive grown-up establishments, the right to opportunity and equity, and safeguarding the freedoms of minorities in the constitution of free India.
- Hence a few essential qualities were acknowledged by all pioneers much before the Constituent Assembly met.
- Under British rule, India experienced the political foundations laid by them.
- The experience with these political foundations gave a great understanding to our leaders. The experience acquired by Indians in the working of the official foundations demonstrated to be extremely valuable for the nation in setting up its foundations.
- This was reflected when many ideas and features of the government act of India in 1935 were adopted into the Indian constitution.