



# The Constitution Day

## Why in News

Recently on 26<sup>th</sup> November, **71<sup>st</sup> constitution day** was celebrated in the country. Every year as part of the celebrations, a number of activities aimed **at highlighting and reiterating the values and principles enshrined in the Constitution** are organised.

## Key Points

- **Constitution Day or Samvidhan Diwas** is also known as **National Law Day**. The day commemorates the adoption of the Constitution in India.
  - On this day in 1949, the Constituent Assembly of India **formally adopted the Constitution of India that came into force on 26 January 1950**.
  - **The Ministry of Social Justice and Empowerment** on 19 November, 2015, notified the decision of the Government of India to celebrate 26 November as 'Constitution Day'.
- **Facts about the Constitution of India:**
  - The framing of the Constitution took over **2 years, 11 months and 18 days**.
  - The original copies of the Indian Constitution **weren't typed or printed. They have been handwritten** and are now kept in a helium-filled case within the library of the Parliament.
  - **Prem Bihari Narain Raizada** had written the unique copies of the Structure of India.
  - Originally, the Constitution of India was written in English and Hindi.
  - The Constitution of India has borrowed some of its features from a number of countries, including Britain, Ireland, Japan, USA, South Africa, Germany, Australia, and Canada.
  - The basic structure of the Indian Constitution stands on the **Government of India Act, 1935**.
  - World's lengthiest Constitution
  - Federal System with Unitary Features
  - Parliamentary Form of Government
- **Background:**
  - In 1934, **M N Roy** first proposed the idea of a **constituent assembly**. Under the **Cabinet Mission plan** of 1946, elections were held for the formation of the constituent assembly.
  - **Drafting Committee:**
    - The Drafting Committee had seven members: Alladi Krishnaswami Ayyar, N. Gopalswami, B.R. Ambedkar, K.M Munshi, Mohammad Saadulla, B.L. Mitter and D.P. Khaitan.
    - At its first meeting on 30<sup>th</sup> August 1947, the Drafting Committee elected **B.R Ambedkar** as its Chairman.

## Important Constitutional Amendment

- **First Amendment Act, 1951**

- Provided for the saving of laws providing for the acquisition of estates, etc.
- Added **Ninth Schedule** to protect the land reforms and other laws included in it from the judicial review. After Article 31, Articles 31A and 31B were inserted.

▪ **The Constitution (Seventh Amendment) Act, 1956**

- The Second and Seventh schedules were substantially amended for the purpose of the States Reorganization Act.

▪ **The Constitution (42<sup>nd</sup> Amendment) Act, 1976**

- The major Amendments made in the Constitution by the 42nd Amendment Act are:

- **Preamble**

- The characterization of India as 'Sovereign Democratic Republic' has been changed to 'Sovereign Socialist Secular Democratic Republic'.
- The words 'Unity of the nation' have been changed to 'Unity and integrity of the nation'.

- **Fundamental Rights and Directive Principles**

- A major change that was made by the 42<sup>nd</sup> Constitutional Amendment was to give primacy to all Directive Principles over the Fundamental Rights contained in Articles 14, 19 or 31.

- **Fundamental Duties**

- The 42<sup>nd</sup> Amendment Act inserted Article 51-A to create a new part called IV-A in the Constitution, which prescribed the Fundamental Duties to the citizens.

▪ **The Constitution (44<sup>th</sup> Amendment) Act, 1978**

- A new provision was added to Article 74(1) saying that the President could require the council of ministers to reconsider its advice to him, either generally or otherwise and the President should Act in accordance with the advice tendered after such reconsideration.
- It has been provided that an Emergency can be proclaimed only on the basis of written advice tendered to the President by the Cabinet.
- Right to Property has been taken out from the list of Fundamental Rights and has been declared a legal right.

▪ **The Constitution (73<sup>rd</sup> Amendment) Act, 1992**

- A separate part IX has been added to the Constitution with the addition in Article 243A and a fresh Schedule called the Eleventh Schedule enumerating the powers and functions of Panchayati Raj Institutions.

▪ **The Constitution (74<sup>th</sup> Amendment) Act, 1992**

- The Act provides constitutional status to Urban Local Bodies. After part VIII of the Constitution, a separate part IXA has been added to the Constitution with the addition in Article 243A and a fresh schedule called Twelfth schedule enumerating the powers and functions of urban local bodies has been incorporated.
- The Act provides Municipal Panchayat, Municipal Council and Municipal Corporation, reservation of seats for SCs and STs in proportion to their population and one-third reservation of seats for women.

▪ **The Constitution (101<sup>st</sup> Amendment) Act, 2017**

- Introduced the Goods and Services Tax.

▪ **The Constitution (102<sup>nd</sup> Amendment) Act, 2018**

- Constitutional status to National Commission for Backward Classes

▪ **The Constitution (103<sup>rd</sup> Amendment) Act, 2019**

- A maximum of 10% Reservation for Economically Weaker Sections (EWSs) of citizens of classes other than the classes mentioned in clauses (4) and (5) of Article 15, i.e. Classes other than socially and educationally backward classes of citizens or the Scheduled Castes

and the Scheduled Tribes.

**Source:PIB**

PDF Refernece URL: <https://www.drishtias.com/printpdf/the-constitution-day>

