

# Preamble | Important PYQ Topics

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## INTRODUCTION

- It is a **brief introductory statement** that sets out the **guiding purpose, principles and philosophy of the constitution**.
- The preamble gives an idea about the following:
  - **1) The source of the authority of the constitution:** People of India
  - **2) The nature of the Indian state**
  - **3) A statement of its objectives**
  - **4) The date of its adoption:** Nov 26th, 1949
- It is **non-justiciable** – provisions are not enforceable in courts of law.

## FEATURES OF THE INDIAN STATE

- **Sovereign:**
  - It implies India is neither a dependency nor a dominion of any other nation but an **independent state** both externally and internally.
  - Membership of the commonwealth or UN does not diminish its sovereignty.
- **Socialist:**
  - Indian style of socialism is a **democratic socialism (both public and private enterprises are encouraged)** as opposed to communist socialism (state decides everything under the sun concerning the distribution and usage of resources).
- **Secular:**
  - The state will have **no official religion** and all persons will be equally entitled to the freedom of conscience and the right freely to profess, practice and propagate the religion of their choice. (**SR Bommai and Others v Union of India, AIR 1994 SC 1918**).
- **Democratic:**
  - The Constitution establishes a democracy based on **popular sovereignty**.
  - Used in the preamble in the broader sense embracing not only political democracy but also **social and economic democracy**.
- **Republic:**
  - India's offices are **open to every citizen of India** unlike the UK where the highest office in the country is reserved for the monarchy.

## OBJECTIVES

- **Justice (from USSR constitution):**
  - **Social justice** denotes the **equal treatment of all citizens** without any social discrimination.
  - **Economic justice** denotes the **non-discrimination** between people on the basis of economic factors. **Social + Economic = Distributive Justice.**
  - **Political justice** means all citizens should have **equal political rights**, equal access to all political offices and equal voice in the government.
- **Liberty:**
  - Liberty of thought, expression, belief, faith and worship.
  - **Absence of restraints on the activities of individuals** and at the same time, **providing opportunities for the development** of individuals.
- **Equality:**
  - Civic, political and economic quality.
  - **Absence of special privileges** to any section of the society and **provision of adequate opportunities** for all individuals without any discrimination.
- **Fraternity:**
  - Fraternity means a **sense of brotherhood.**
  - Fraternity has to assure two things- **the dignity of the individual and the unity and integrity of the nation.**

## JUDGEMENTS

- **Preamble as a part of the Constitution:**
  - **Berubari Union Case (1960)**, the Supreme Court opined that the **Preamble was not part of the constitution.**
  - Reversed in **Keshavananda Bharati case in 1973** and **LIC of India case (1995).**
- **Amendability:**
  - Amended only once. **42nd constitutional amendment act, 1976** when three new terms were added- **Socialist, secular and integrity.**

## PYQ

Q. 'Economic Justice' as one of the objectives of the Indian Constitution has been provided in

- a) the Preamble and the Fundamental Rights
- b) the Preamble and the Directive Principles of State Policy**
- c) the Fundamental Rights and the Directive Principles of State Policy
- d) None of the above

Q. Discuss each adjective attached to the word 'Republic' in the preamble. Are they defensible in the present circumstances? (250 words)