



Preamble to the Indian Constitution





PREAMBLE TO THE INDIAN CONSTITUTION

Background

- **Adopted:** 26 November, 1949
- **Inspiration behind Ideals:** Jawaharlal Nehru's **Objectives Resolution**

Preamble Gives the Idea of

- **Source** of the Constitution, **Nature** of Indian State, Statement of its **objectives** and **Date** of its adoption

Related Cases

■ **Berubari Union Case, 1960:**

- ◆ Preamble is key to open the mind of the makers but **not to be considered as part of the Constitution**

■ **Kesavananda Bharati Case, 1973:**

- ◆ Preamble **is part of the Constitution** and hence, could be amended under **Article 368** (but its basic structure not to be altered)
- ◆ Preamble is not the supreme power or source of any restriction but important in interpretation of statutes

■ **Union Government vs LIC of India, 1995:**

- ◆ Reiterated that Preamble is an integral part of the Constitution but **not legally enforceable** before the court

What does Preamble Declare?

- The **source of authority** of the Constitution **lies with the people** of India
- India as a **sovereign, socialist, secular** and **democratic republic** country
- **Objectives:**
 - ◆ Secure justice, liberty and equality to all citizens
 - ◆ Promote fraternity to maintain unity and integrity of the nation

42nd Amendment (1976) added "Socialist," "Secular," and "Integrity" to the Preamble.

THE CONSTITUTION OF INDIA

PREAMBLE

WE, THE PEOPLE OF INDIA, having solemnly resolved to constitute India into a **[SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC]** and to secure to all its citizens :

JUSTICE, social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity and to promote among them all;

FRATERNITY assuring the dignity of the individual and the '[unity and integrity of the Nation];

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949 do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

1. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec. 2, for "Sovereign Democratic Republic" (w.e.f. 3.1.1977)
2. Subs. by the Constitution (Forty-second Amendment) Act, 1976, Sec. 2, for "Unity of the Nation" (w.e.f. 3.1.1977)



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