
UNIT 5 CONSTITUTIONAL FOUNDATIONS*

Structure

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5.0 OBJECTIVES

After going through this unit you would be able to:

- examine India as a constitutional democracy,
- narrate the history of making of the Constitution;
- explain various aspects of the Constitution adopted by Independent India like socialism, secularism;
- describe concepts like Fundamental Rights and Duties, Directives of State Policy, Universal adult suffrage, etc.

5.1 INTRODUCTION

When we talk about India as a modern nation-state it is imperative to understand the Constitution which provides the basic framework for the legislature, executive and judiciary to function everyday without any obstruction. Indian Constitution is an extremely detailed document which has laid the foundation for the modern Indian state to function and prosper. After attaining its freedom from the British, India needed a modern outlook also keeping its tradition in mind. The long struggle of freedom for Indian sovereignty had made Constitution makers aware of the importance of liberty or freedom for the Indians. Equality was a basic principle followed in spirit and in essence in all the Articles (positive discrimination borrowed from American model for Reservation for certain sections to bring the marginalized at par with the rest of the population) and fraternity for all Indians.

5.2 INDIAN CONSTITUTION: IT'S MAKING

On 26th January 1950, the lengthiest written Constitution in the world, the Indian Constitution came into force. The Constitution provides a foundation and framework for governance and assigns roles to the institutions of the legislature,

*Contributed by Uzma Azhar

executive and judiciary. It is also a document which promises social and economic justice.

In the Preamble, the Constitution proclaims India as a sovereign, socialist, democratic republic ensuring for all its citizens justice, liberty, equality and fraternity. All the laws have to conform in accordance with the statutes of the Constitution, any provision of law or regulation which is inconsistent with it is null and void.

The constitution is an essential document which describes the basic functions of good or constructive governance; ensures the protection of the rights and interests of its citizens and directs government to work for their welfare in all spheres of life. It also indicates how citizens should conduct themselves and be responsible to the government.

Preamble

Preamble of the constitution is the part which defines the ideals and idea of the people of India. It lays down the social philosophy of our nation-state and governance based on this philosophy. The Preamble to our constitution reads as follows:

“We, The People of India, having solemnly resolved to constitute India into a Sovereign 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 them among all; Fraternity assuring the dignity of the individual and the unity and integrity of the nation; In our constituent Assembly this 26th day of November, 1949 Do hereby adopt, enact and give to ourselves the constitution.”

Now let us look at how the constitution came into effect, the process of its making. It becomes significant to see the Government of India Act 1935 because it formed part of the basic documents that were consulted by the experts involved in making the constitution of India.

The Government of India Act, 1935 is a landmark act which further advanced the movement towards self-rule leading to the independence of India. This Act for the first time by the colonial administration aimed at establishing the federal system of Government of India, the most complicated document ever enacted by the British Parliament running into 451 clauses and 15 Schedules. The major features were: (a) All India Federation; (b) Provincial Autonomy; (c) Dyarchy at the Centre; and (d) Federal Court.

The framers of the Constitution perceived unity, social revolution, and democracy as the three interdependent goals which had to be sought together and could not be pursued or achieved disjointedly, which Granville Austin refers to as the three strands of a seamless web (Austin, 2001, pp. ix-x). Three important documents of the pre-independence period provided the framework for the Constitution apart from the Government of India Act of 1935, these were :

i) The Nehru Report (1928)

The Nehru Report was produced by a sub-committee headed by Motilal Nehru. The colonial government doubted the capabilities of the Indian

leaders, that they would not be able to produce such a document. However this document produced by the sub-committee constituted for this purpose. It as was further approved by the All Party Conference in August, 1928 held at Lucknow (Austin, 2001, p. 55). A Declaration of Rights mainly, it declared that the chief aims of the Constitution would be to secure for Indians fundamental rights and provide certain safeguards to minorities. The independence perceived at this time was of a dominion, which would function under the authority of the British, and not total independence.

ii) The Karachi Resolution (1931)

The drafting of the Karachi Resolution has been credited to Pandit Jawaharlal Nehru. In March 1931, the Congress Convention held at Karachi adopted the resolution on economic and social changes and Fundamental Rights. It was a declaration of rights and a humanitarian, socialist manifesto. The document's provisions did in fact become the spiritual and, in some cases, the direct antecedents of the Directive Principles (Austin 2001: x).

iii) The Sapru Report (1945)

The Sapru Report published in 1945, vitiated by communal tensions and conflicts around this time, concerned itself mainly with the problems of minority fears which were overshadowing the political scene. By this time, it had become clear that India would achieve its independence in the near future and the minorities had to be reassured about their security. The Sapru Report declared that Fundamental Rights within the new Constitution would have to include certain safeguards for minorities. The report stated:

‘That what the constitution demands and expects is perfect equality between one section of the community and another in the matter of political and civic rights, equality of liberty and security in the enjoyment of the freedom of religious worship and the pursuit of the ordinary applications of life’ (Sapru, 1945, p. 260).

Through the Independence Act of 1947, India attained independence on August 15, 1947 and the British colonial rule in India came to an end. The same Act had also conferred power on the Constituent Assembly to frame a Constitution for India. This Act was the result of a prolonged struggle for political freedom and the constitution of the Constituent Assembly as the precise mechanism and authority to draft the Constitution for India was the precise course to follow for the new nation–state for its political sovereignty.

Although the first sitting of the Constituent Assembly took place on 9th December, 1946 the provision for its constitution through the Cabinet Mission had already been made. Initially it had 207 members including 15 women. It was reckoned by the Constitution Drafting Committee that the inclusion of traditionally marginalised sections is to be of prime importance in order to ensure that their concerns were reflected in the Constitution. The Committee consisted of several national leaders like Dr. Rajendra Prasad, Pandit Jawaharlal Nehru, Maulana Abdul Kalam Azad, Dr. B. R. Ambedkar and others as members with Dr. Rajendra Prasad as its Chairman. However, the Constituent Assembly was not very active before the Indian Independence Act of 1947 and it became more active and did majority of its work only

after passing of the Act. Once a federal constitution was decided upon, the major models were selected for study. The models fell mostly into two categories; the Constitution of the United States on the one hand, and the Constitution Acts passed by the British Parliament establishing federal constitutions for Canada, Australia and India, all of which had drawn mostly on the American experience.

Various committees were constituted by the Constituent Assembly to deal with different aspects of the constitution. The Reports of these committees were considered by the Constituent Assembly and it appointed a Drafting Committee under the Chairmanship of Dr. B. R. Ambedkar, whose efforts had finally culminated in adoption of the so drafted Constitution of India by the Constituent Assembly on 26th November, 1949 and came into force on 26th January 1950.

Source : Unit 5 The Constitution of India and MWG-010-B2E.p65

Check Your Progress I

- 1) What were the major features of Government of India Act of 1935?

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- 2) Name three important documents from pre-Independence era which helped in creating the framework for the constitution.

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5.3. INDIAN CONSTITUTION: BASIC FEATURES

On 26th November, 1949, the Indian Constitution was adopted by the Constituent Assembly. It is the lengthiest Constitution which originally had 395 Articles, divided into 22 parts and 9 schedules. For many developing countries it has been a model to follow for reference.

5.3.1 Main ideals

- a) **Sovereignty**

The Constitution in its introduction declares that the people of India have adopted and enacted the Constitution and they are the ones who are the custodians of the republic. Indian citizens are the real force in whom power is vested and Indian state is free from any foreign domination.

b) Socialist and Secular

In 1976, through the 42nd amendment of the Constitution, in the Preamble of the Constitution the terms 'Socialist and Secular' the terms were incorporated. Socialist in traditional sense meant that the means of production would be owned by the state and state would make every effort for equal distribution of wealth. Socialism in the Indian context meant Indian state would ensure minimum standard of living for all and a reduced gap between the rich and the poor.

Although, the term 'Secular' aims at the separation of religion from the State, but in the Indian context the state respects all religions and even facilitates festive rituals on various religious occasions for different religions, for example, Kumbh mela, Haj preparations, etc. Indian secularism does not mean irreligiousness, it means respect for all faiths and religions. Since, India is a multi-religious and multi-lingual country with vast differences, the country declared itself as a secular nation on the eve of independence to give equal opportunity to its citizens to practice their religion without any hesitation or fear. Secular state may be characterised as:

- i) state having no religion of its own;
- ii) state not giving a preferential treatment to the followers of any faith;
- iii) state not practising any discrimination against any person on account of his/her faith;
- iv) state providing equal opportunity of employment in government establishments to people of all faiths.

c) Parliamentary Form of Government

A parliamentary form of government has been established both at the Centre and the State by the Constitution of India. It means that the Prime Minister and his Council of Ministers are responsible for all their actions to the government, particularly to the Lok Sabha or Lower House of Parliament. When they lose their confidence with the people (majority in the House/Parliament) they should resign. In case they refuse to resign, the opposition parties will move a no-confidence motion and remove the government from power.

5.3.2 Fundamental Rights and Duties

Part III of the Constitution guarantees the Fundamental Rights to all its citizens, borrowed mainly from the Universal Declaration of Human Rights, 1948 and Bill of Rights enshrined in the American constitution. The Fundamental Rights ensure political and civil rights, as the concept of Fundamental Rights was introduced to create a society which was egalitarian. From any form of coercions or restrictions by the State or by the society, all its citizens would be free equally. Liberty would no longer be the privilege of the few. One can approach the Supreme Court directly in case of violation of Fundamental Rights. They are:

a) *Right to Equality (Articles. 14-18)*

According to Article 14, the State will treat all its citizens with 'equality before law' and 'equal protection of laws' within the territory of India. It is

influenced by American and British constitutions, and means that all citizens will be given equal treatment in similar circumstances. Article 15 says that the State shall not discriminate against a citizen on grounds of caste, religion, race, sex or place of birth or any of them, but permits the state to make special provisions in certain circumstances.

Article 15-Clause (1) says, the State is prohibited to discriminate between citizens on grounds of religion, race, caste, place of birth or any of them

Article 15-Clause (2) says, discrimination by the State and the citizens with regard to access to shops, public restaurants, hotels and places of public entertainment or the use of wells, tanks bathing ghats, roads and places of public resorts maintained wholly or partly out of State funds or dedicated to the use of general public is prohibited. Identifying the need for special protection, it offers special protection for women and children [Art 15 (3)] and provides reservation for socially and educationally backward classes of the citizens or for the Scheduled Castes and Scheduled Tribes through Article 15 Clause (4).

Article 16 talks about the Right to equality of opportunity in public employment which explains that no citizen shall be discriminated against or be ineligible for any employment or office under the State on grounds only of religion, race, caste, sex, place of birth, descent or residence. Additional grounds of 'descent and residence' not included in Article. 15 were added in Art.16. Also, Art.16-(4) provides reservation for appointments or posts in favour of any Backward Classes of citizens who, in the opinion of the State, are not adequately represented in the services under the State.

Article 17 declares abolition of Untouchability and forbids its practice in any form. In 1995, Untouchability Offences Act was enacted by the Parliament recently renamed as Protection of Civil Rights Act, 1995. Additionally to strengthen it, the government also enacted Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act in 1989 and Scheduled Castes and Scheduled Tribes 'Prevention of Atrocities rules' in 1995.

b) *Right to Freedom (Articles. 19-22)*

Under Articles 19-23, Freedom as a fundamental right has been explained. All citizens shall have the right to freedom of speech and expression, peaceful assembly without arms, unionization or forming association, free movement and freedom to settle anywhere within the country.

The grounds of restrictions for freedom of speech and expression are:

- i) security of the State
- ii) friendly relation with foreign States,
- iii) public order,
- iv) decency and morality,
- iv) contempt of Court,
- v) defamation,
- vi) incitement of an offence, and
- vii) sovereignty and integrity of India.

c) *Right against Exploitations (Articles 23-24)*

The Article 23 prohibits forced labour, trafficking in human beings (children and women for sex), begging, slavery, etc. Through Article 24, the Constitution prohibits employment of children below 14 years of age in factories and hazardous employment. To prohibit children from working, government has enacted several laws like Employment of Children Act, 1938, Children (pledging of labour) Act, 1933, the Mines Act, 1952 and Child Worker Regulation Act, 1986.

d) *Right to Freedom of Religion (Articles 25-28)*

Although the term 'religion' is not defined in the Constitution, it states secularism as one of its aims in the Preamble. The Constitution guarantees a) freedom of conscience, b) freedom to profess, practise and propagate any religion. Restrictions to this freedom are religious liberties subject to public order, morality and health (Article 25). Religious groups and other sections have the following rights to establish and maintain institutions for religious and charitable purposes:

- a) to manage their own affairs in the matters of religion,
- b) to own and acquire movable and immovable properties,
- c) to administer such properties in accordance with the law.

In State aided institutions there is prohibition of religious instruction. To maintain the secular character, Article 27 provides 'no one shall be compelled to pay any tax for the promotion or maintenance of any particular religion or religious denomination'. This is to ensure that the secular character of the State remains non-partisan.

e) *Cultural and Educational Rights (Articles 29-30)*

Under Article 29 the State has been entrusted the responsibility for the protection of interests of minorities. Constitution also confers minorities right to establish and administer educational institutions and provides following four distinctive rights :

- a) Article 29 (Clause 1) Right of any section of citizens to conserve its own language, script or culture
- b) Article 30 (Clause 1) Right of all religious and linguistic minorities to establish and administer educational institutions of their choice.
- c) Article 30 (Clause 2) Right of an educational institution not to be discriminated in matters of State aid on grounds that it is managed by a religious or linguistic minority.
- d) Article 29 (Clause 2) Right of the citizen not to be denied admission in to any State maintained or State aided institutions on grounds of religion, caste, race or language.

The word 'minority' has not been defined in the constitution but is used in a wide sense to refer to a section of citizens, minorities shall be protected in respect of their language, script and culture.

f) *Right to Constitutional Remedies (Articles 32-35)*

Rights have to be accompanied by efficient system of governance for their enforcement. Under Article 32 the Constitution guarantees that a person has the right to move the Supreme Court directly for the enforcement of their fundamental rights. Except during emergency under Article 352 as otherwise provided in the Constitution, Right to Constitutional remedies shall not be suspended.

Various kinds of writs for the enforcement of these rights can be issued by the Supreme Court. One can seek redressal through following petitions:

- i) Writ of Habeas Corpus means “To have a body”. This is a safeguard against arbitrary acts of not just private individuals but also of the executive. It can be filed by anyone (including the arrested person, his relatives, friends etc.) and will force the arresting authorities to produce the person physically/bodily in the court.
- ii) Writ of Mandamus means ‘we command’. It commands the person to whom it is addressed to perform quasi public or public legal duty which he/she has refused to perform and whose performance cannot be enforced by any other legal remedy.
- iii) Writ of Prohibition means ‘to forbid or to stop’. Through this, Supreme Court or High Court can issue directions to a lower court or institution of governance, forbidding the latter to encroach on jurisdiction with which it is not legally vested or to continue proceeding in a case in excess of its jurisdiction.
- iv) Writ of Certiorari means ‘to be more fully informed of’. After a case has been decided by a lower court it can be issued denouncing or abolishing that order. The objective is to secure that order, as jurisdiction of an inferior court does not encroach the jurisdiction which it does not possess.
- v) Writ of Quo warranto means ‘by what warrant or by what order’. The court inquires into the legality of the claim which a party may assert to a public office and to remove him/her from employment if the claim is not found.

e) **Fundamental Duties**

In 1976 as Article 51-A in Part IV-A, fundamental duties were incorporated by the 42nd Amendment to the Constitution. India is the only country having in the Constitution rights and duties side by side. Rights and duties are correlated. The following ten are the charter of duties for the citizens of India:

- a) to abide by the Constitution and respect its ideals and institutions, the National flag and the National Anthem;
- b) to cherish and follow the noble ideals which inspired our national struggle for freedom.
- c) to uphold and protect the sovereignty, unity and integrity of India;

- d) to defend the country and render national service when called upon to do so;
- e) to promote harmony and spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;
- f) to value and preserve the rich heritage of our composite culture;
- g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;
- h) to develop the scientific temper, humanism and the spirit of inquiry and reform;
- i) to safeguard public property and to abjure violence;
- j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement.
- k) Who is a parent or guardian, to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years [Inserted by the Constitution (86th Amendment) Act, 2002].

For direct enforcement of these duties there is no provision in the Constitution. They cannot be enforced by writs, but can be promoted only by constitutional methods. Their inclusion has been justified on the basis that they would help to strengthen our democracy. These duties are obligatory on all Indian citizens. Only through enlightened public opinion and education that the feelings of pride and responsibility towards these constitutional duties to the nation can be inculcated in the citizens.

Activity

At your Study Center with other students, make a Presentation on the Fundamental Rights and Duties and spread information around you in your neighbourhood, making common people aware of their Fundamental Rights and Duties.

5.3.3 Directive Principles of State Policy

Under Part IV of the constitution, Directive Principles of State Policy are stated from Article 36 to Article 51, borrowed from the Irish Constitution. These objective is to embody the concept of 'welfare state' is the objective of these Directive Principles. Basically, these are the directions or ideals for the State and law making bodies to keep in mind while framing policies and laws. They deal with the social, economic and cultural rights and are not justifiable in the court of law. They are aspirational in nature and play an advisory role for the government. For example:

- i) Articles 38 and 39 say Equal distribution of wealth and material resources among all classes of people so as to prevent its concentration in a few hands.
- ii) Article 43 says Provision of adequate means of livelihood to all the citizens.
- iii) Article 39 says Equal pay for equal/similar work for both men and women.

iv) Article 41 says Right to work, education and public assistance.

As we have mentioned above, while Fundamental Rights (civil and political rights) are justiceable (can be claimed in a court of law), the Directive Principles (social, cultural, and economic rights) are non-justiceable (cannot be claimed in a court of law) and are more in the nature of aspirations than rights. This became a site for contestation within the Constituent Assembly. B.N. Rao, A. K. Ayyar, B.R. Ambedkar, K.M. Munshi, and K.T. Shah who shared a liberal socialist outlook were in favour of making the Directive Principles justiceable (Austin, 2001, p. 77). Within the prevailing social and economic structures, they felt that a large segment of the Indian population was poor and illiterate and this weaker section of population might not be in a position to access the Fundamental Rights if the larger issues of land reforms, re-distribution of wealth, and eradication of illiteracy were not addressed first. Therefore for them, the issues of social, cultural and economic rights were far more essential to ensure an egalitarian political Constitutional democracy to usher in a new egalitarian social order.

However, the suggestion to make Part IV justiceable was rejected by the larger committee. But, judiciary has stepped in certain cases and has incorporated some of the Directive Principles of State Policy into the domain of Fundamental Rights by expanding the notion of the Right to Life and Liberty Article 21 of the Constitution in cases ranging on issues regarding minimum wages to Right to livelihood, etc.

5.3.4 Federalism, Adult Franchise, Judiciary, Policy of Positive Discrimination

i) Indian State is federal in nature, in the sense that the powers are distributed between the Union and the states. During times of emergency arising out of external danger the Union Government can assume a unitary character and the Central union government is empowered to legislate for all the States.

ii) Universal Adult Franchise

It means all the adult citizens above the age of 18 years are given the right to vote without any discrimination of caste, class, region, religion, gender or race. It is a basic principle of equality on which democracy rests.

iii) Independent Judiciary

The legislature, executive and judiciary are the three main institutions through which the state functions. As per the norms of separation of powers, Indian judiciary is independent. This independence of judiciary is ensured through direct appointment by the President and judges cannot be removed simply by the executive.

Judicial Review

From USA's constitution, India borrowed the idea that the judiciary can declare a law passed by the Union or State government (legislature/executive) as unconstitutional or null and void if it violates the rights guaranteed under the Fundamental rights to the people of India.

Rigid and Flexible Document

India has a written Constitution and borrows many features from American

constitution but it is not as rigid as the American constitution. In the form of procedures for amendments it has incorporated flexibility. There are methods which are mentioned by which the constitutional laws can be changed or amended. To put it simply, the procedure for change or amendment in laws is clearly and, simply explained and not tedious.

iv) Positive Discrimination

Part XVI of the Constitution deals with reservation for SCs and STs. The policy for granting special privileges to the downtrodden, underprivileged and marginalized sections of the population are also known as affirmative action programs. This policy was followed by USA for the victims of racial discrimination. In India, Dalits and Tribals were given special status for reservation in various categories for their upliftment and to make them a part of the mainstream population. Some of the constitutional provisions which aimed at positive discrimination are:

Article 17: Abolition of “untouchability” and making its practice in any form a punishable offence.

Article 46: Promotion of educational and economic interests.

Article 16 and 335: Preferential treatment in matters of employment in public services.

Article 330 and 332: Reservation of seats in the Lok Sabha and State Assemblies.

Later, reservation for Other Backward Classes (OBCs) in 1992 and reservation for Women in Panchayats (1996) were added.

Source: IGNOU Unit 5 The Constitution of India, Unit 1 Indian Constitution and Unit 2 Constitutional Obligations

Check Your Progress II

1) When were the terms Socialism and Secularism added to the Constitution?

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2) Mention two Fundamental Rights and Duties.

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5.4 LET US SUM UP

In this unit, we have looked at the basic framework of constitutional foundation of democracy in India. We have observed the mechanism through which legislature, executive and judiciary function in day to day running of institutions of the state. India adopted its Constitution in 1950 and we are celebrating 70 years of the Indian Republic. We have seen the process of its making in detail. The basic ideals, features and objectives as defined in the Constitution have also been explained in this unit. The Constitution lays out not just the Fundamental Rights of its nationals impeding upon the State to ensure that they are not infringed upon but also the enjoined Fundamental Duties for its citizens towards the nation state have to be followed as well.

Through various features like socialism, secularism, democracy, reservations, and independent judiciary we are able to witness the wisdom with which our Constitution has been designed. It is a document which creates the balance between various institutions of the state, namely legislature, executive and judiciary, through clearly laid out guidelines.

5.5 SPECIMEN ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress I

- 1) The major features were: (a) All India Federation; (b) Provincial Autonomy; (c) Dyarchy at the Centre; and (d) Federal Court.
- 2) Three important documents of the pre-independence period which provided the framework for the Constitution were:
 - The Nehru Report of 1928,
 - The Karachi Resolution of 1931, and
 - The Sapru Report of 1945.

Check Your Progress II

- 1) In 1976, through the 42nd amendment of the Constitution in the Preamble of the Constitution the terms 'Socialist and Secular' were incorporated.
- 2) Fundamental Rights : Right to Equality and Right to Freedom Fundamental Duties: To uphold and protect the sovereignty, unity and integrity of India; and, to value and preserve the rich heritage of our composite culture.

5.6 REFERENCES

Austin, G. (2001) *The Indian Constitution Cornerstone of a Nation*, New Delhi: Oxford University Press.

Unit 5 The Constitution of India

<http://egyankosh.ac.in/bitstream/123456789/9908/1/Unit%205.pdf> accessed on 20th Jan 2019

Agnes Flavia *The Constitutional Debates*

<http://egyankosh.ac.in/bitstream/123456789/5611/1/MWG-010-B2-U4.pdf>
accessed on 20th Jan 2019

Unit 1 Indian Constitution

<http://egyankosh.ac.in/bitstream/123456789/17193/1/Unit-1.pdf> accessed on 26th
Jan 2019

Unit 2 Constitutional Obligations

<http://egyankosh.ac.in/bitstream/123456789/7912/1/Unit-2.pdf> accessed on 24th
Jan 2019

GLOSSARY

Preamble: Part of the constitution which defines the ideals and idea of the people of India.

Sovereignty: People are free from foreign rule and have adopted and enacted the Constitution and they are the ones who are the custodians of the republic.

Socialist: Means of production would be owned by the state.

Secular: It aims at the separation of religion from the state.

Directive Principles of State Policy: The directions or ideals for the State and law making bodies to keep in mind while framing policies and laws.

Federalism: Powers are distributed between the Union and the states.

Universal Adult Franchise: It means all the adult citizens above the age of 18 years are given the right to vote without any discrimination of caste, class, region, religion, gender or race.

Positive Discrimination: The policy for granting special privileges to the downtrodden underprivileged and marginalized sections of the population.

FURTHER READINGS

Austin, G. (2001) *The Indian Constitution Cornerstone of a Nation*, New Delhi: Oxford University Press.

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<http://egyankosh.ac.in/bitstream/123456789/9908/1/Unit%205.pdf> accessed on
20th Jan 2019

Agnes Flavia The Constitutional Debates

<http://egyankosh.ac.in/bitstream/123456789/5611/1/MWG-010-B2-U4.pdf>
accessed on 20th Jan 2019