

The Preamble serves as an introduction to the Constitution. It was amended by the 42nd Constitutional Amendment Act in 1976, which determined to constitute India into a Sovereign, Socialist, Secular, and Democratic republic. It secures justice, liberty, equality to all the citizens of India and promotes fraternity among the people.

The Preamble states:

“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.”

The Four Components of the Preamble are:

1. The Preamble indicates that the source of authority of the Constitution lies with the people of India.
2. It declares India to be a socialist, secular, secular, democratic and a republic nation.
3. It states its objectives to secure justice, liberty, equality to all citizens and promote fraternity to maintain unity and integrity of the nation.
4. It mentions the date (November 26, 1949) on which the constitution was adopted.

We, the people of India.

The phrase “We the people of India” emphasises that the constitution is made by and for the Indian people and not given to them by any outside power.

It also emphasizes the concept of popular sovereignty as laid down by Rousseau: ‘All the power emanates from the people and the political system will be accountable and responsible to the people.’

Nature of Indian state

1. **Sovereign:** India is internally and externally sovereign – externally free from the control of any foreign power and internally, it has a free government which is directly elected by the people and makes laws that govern the people. No external power can dictate the government of India. ‘Sovereign’ means that India has its own independent authority and it is not a dominion or dependent state of any other external power. The Legislature of India has the powers to enact laws in the country subject to certain limitations imposed by the Constitution.
2. **Socialist:** The word ‘Socialist’ was added to the Preamble by the 42nd Constitutional Amendment in 1976. Socialism means the achievement of socialist ends through democratic means. “Socialism” as an economic philosophy where means of production and distribution are owned by the State. India adopted Mixed Economy, where apart from the state, there will be private production too. Socialism as a social philosophy stresses more on societal equality. It aims to end poverty, ignorance, disease and inequality of opportunity.

3. **Secular:** Features of secularism as envisaged in the Preamble is to mean that the state will have no religion of its own 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. The word 'Secular' was incorporated in the Preamble by the 42nd Constitutional Amendment in 1976. The term secular in the Constitution of India means that all the religions in India get equal respect, protection and support from the state. Articles 25 to 28 in Part III of the Constitution guarantee Freedom of Religion as a Fundamental Right.
4. **Democratic:** The term Democratic indicates that the Constitution has established a form of government which gets its authority from the will of the people expressed in an election. The Preamble resolves India to be a democratic country. That means, the supreme power lies with the people. In the Preamble, the term democracy is used for political, economic and social democracy. The responsible representative government, universal adult franchise, one vote one value, independent judiciary etc. are the features of Indian democracy.
5. **Republic:** As opposed to a monarchy, in which the head of state is appointed on the hereditary basis for a lifetime or until he abdicates from the throne, a democratic republic is an entity in which the head of state is elected, directly or indirectly, for a fixed tenure. The President of India is elected by an electoral college for a term of five years. The post of the President Of India is not hereditary. Every citizen of India is eligible to become the President of the country.

Objectives of Indian State

1. **Justice :** Social, Economic and Political. The term Justice in the Preamble embraces three distinct forms: Social, economic and political, secured through various provisions of the Fundamental and Directive Principles. Social justice in the Preamble means that the Constitution wants to create a more equitable society based on equal social status. Economic justice means equitable distribution of wealth among the individual members of the society so that wealth is not concentrated in few hands. Political Justice means that all the citizens have equal right in political participation. Indian Constitution provides for universal adult suffrage and equal value for each vote.
2. **Equality :** of status and opportunity. Equality means absence of privileges or discrimination against any section of the society. The Preamble provides for equality of status and opportunity to all the people of the country. The Constitution strives to provide social, economic and political equality in the country.
3. **Liberty :** of thought, expression, belief, faith and worship. Liberty implies absence of restraints or domination on the activities of an individual such as freedom from slavery, serfdom, imprisonment, despotism etc. The Preamble provides for liberty of thought, expression, belief, faith and worship.
4. **Fraternity (Brotherhood) :** assuring the dignity of the individual and the unity and integrity of the nation. Fraternity means feeling of brotherhood. The Preamble seeks to promote fraternity among the people assuring

the dignity of the individual and the unity and integrity of the nation.

Date of its adoption

Date of adoption of the Constitution is 26th November, 1949. But most of the articles in Constitution came into force on January 26th, 1950. Those articles which came into existence on 26th November 1949 is given by Article 394.

Article 394 states that this article (394) and articles 5, 6, 7, 8, 9, 60, 324, 366, 367, 379, 380, 388, 391, 392 and 393 shall come into force at once, and the remaining provisions of this Constitution shall come into force on the twenty-sixth day of January, 1950, which day is referred to in this Constitution as the commencement of this Constitution.

26 January was selected for this purpose because it was this day in 1930 when the Declaration of Indian Independence (Purna Swaraj) was proclaimed by the Indian National Congress.

Amendment in the Preamble

In 1976, the Preamble was amended (only once till date) by the 42nd Constitutional Amendment Act. Three new terms, Socialist, Secular, and Integrity were added to the Preamble. The Supreme Court held this amendment valid.

Interpretation by the Supreme Court

The Preamble was added to the Constitution after the rest of the Constitution was already enacted. The Supreme Court in the Berubari Union case (1960) held that the Preamble is not a part of the Constitution. However, it recognised that the Preamble could be used as a guiding principle if a term in any article of the Constitution is ambiguous or has more than one meaning.

In Kesavanand Bharti case (1973), the Supreme Court overturned its earlier decision and held that the Preamble is a part of the Constitution and can be amended under Article 368 of the Constitution.

Again, in LIC of India case, the Supreme Court held that the Preamble is a part of the Constitution.

Thus the Preamble to the Constitution of free India remains a beautifully worded prologue. It contains the basic ideals, objectives, and philosophical postulates the Constitution of India stands for. They provide justifications for constitutional provisions.