

## Making of the Indian Constitution (Constituent Assembly and sources of the constitution)

1. It was **M.N Roy** who proposed the idea of an independent constituent assembly for India in 1934.
2. The constituent assembly was formed as per the guidelines suggested by the Cabinet Mission Plan, 1946. The mission was headed by **Pethick Lawrence** and included two other members apart from him – **Stafford Cripps** and **A.V Alexander**.
3. The total strength of the assembly was 389. However, after partition only 299 remained. It was partly elected and partly nominated body.
4. The elections to form the assembly took place in July-August 1946 and the process was completed by November 1946. The first meeting of the assembly took place on **9<sup>th</sup> December 1946** and was attended by **211 members**.
5. **Dr. Sachhidanand Sinha** became the temporary President of the assembly following the French practice.
6. On 11<sup>th</sup> December 1946, **Dr. Rajendra Prasad** and **H.C Mukherji** were elected as President and Vice-President respectively.
7. **Sir B.N Rau** was appointed as the constitutional advisor to the assembly.
8. On 13<sup>th</sup> December 1946, Pt. Nehru moved the Objectives resolution which later went on to become the Preamble of the constitution in slightly modified form. The resolution was unanimously adopted on 22<sup>nd</sup> January 1947.
9. The Constituent Assembly ratified India's membership of the commonwealth in May 1949. Also, it adopted National Song and National Anthem on 24<sup>th</sup> January 1950. Adopted the National Flag on 22<sup>nd</sup> July 1947.
10. The assembly met for 11 sessions, took 2 years, 11 months and 18 days to frame up the final draft, sat for 141 days in total and the draft constitution was considered for 114 days. Total amount incurred was around rupees 64 lakhs.
11. The assembly had 15 women members which were reduced to 9 after partition.
12. Some important committees of the constituent assembly along with their respective chairpersons are as follows:
  - Union Powers Committee - Jawahar Lal Nehru
  - Union Constitution Committee - Jawahar Lal Nehru
  - Provincial Constitution Committee - Sardar Patel
  - Drafting Committee - B.R Ambedkar
  - Rules of Procedure Committee - Dr. Rajendra Prasad
  - Steering Committee - Dr. Rajendra Prasad
  - Flag Committee - J.B. Kripalani
13. The following were the members of the Drafting Committee-
  - Dr. B.R Ambedkar (Chairman)
  - Alladi Krishnaswamy Ayyar
  - Dr. K.M Munshi
  - N. Gopaldaswamy Ayyangar

- Syed Mohammad Saadullah
- N Madhava Rau
- TT Krishnamachari

14. The final draft of the constitution was adopted on 26<sup>th</sup> November 1949 and it contained 8 schedules, 22 parts, and 395 articles.

## VARIOUS SOURCES OF THE INDIAN CONSTITUTION

1. **Government of India Act of 1935** - Federal Scheme, Office of the governor, Judiciary, Public Service Commissions, Emergency provisions and administrative details.
2. **British Constitution** - Parliamentary government, Rule of Law, legislative procedure, single citizenship, cabinet system, prerogative writs, parliamentary privileges, and bicameralism.
3. **US Constitution** - Fundamental rights, independence of the judiciary, judicial review, impeachment of the president, removal of Supreme Court and high court judges and post of vice-president.
4. **Irish Constitution** - Directive Principles of State Policy, the nomination of members to Rajya Sabha and method of election of the president.
5. **Canadian Constitution** - Federation with a strong Centre, vesting of residuary powers in the Centre, the appointment of state governors by the Centre, and advisory jurisdiction of the Supreme Court.
6. **Australian Constitution** - Concurrent List, freedom of trade, commerce and intercourse, and the joint sitting of the two Houses of Parliament.
7. **Weimar Constitution of Germany** - Suspension of Fundamental Rights during Emergency.
8. **Soviet Constitution (USSR, now Russia)** - Fundamental duties and the idea of justice (social, economic and political) in the Preamble.
9. **French Constitution** - Republic and the ideals of liberty, equality, and fraternity in the Preamble.
10. **South African Constitution** - Procedure for amendment of the Constitution and election of members of Rajya Sabha.
11. **Japanese Constitution** - Procedure established by Law.