

Constituent Assembly of India

[UPSC Notes]

What was the Constituent Assembly of India?

The Constituent Assembly of India was elected with the objective of forming the Constitution of the country. M N Roy, a supporter of radical democracy and pioneer of the Communist movement in India, is accredited with the idea for a Constituent Assembly. He proposed it in December 1934.

It was a unicameral body that had 389 elected members which were reduced to 299 after the partition of India to form Pakistan was finalised. The Assembly met for the first time in New Delhi on 9 December 1946, and its last session was held on 24 January 1950.

Background of the Constituent Assembly

The following points lists the trail of the development of the constituent assembly of India:

- In 1934, M N Roy was the first to propose the idea of a constituent assembly. The Indian National Congress made it one of their official demands in 1935.
- The INC's Lucknow session held on the 16th of April 1936 was presided by Pt. Jawahar Lal Nehru where the official demand for the establishment of the Constituent Assembly was raised.
- They rejected the proposed idea in the Government of India Act, 1935 as it imposed a Constitution that was not accepted by Indians.
- It was then when C. Rajagopalachari demanded the setting up of a Constituent Assembly on 15 November 1939 which would be based on adult franchise
- This demand was accepted by the British in the August Offer of 1940.
- The elections for the formation of the Assembly were held as directed by the Cabinet Mission plan of 1946
- These elections were indirect in nature as the members of this assembly were elected by the members of the provincial assemblies. They were elected by the method of a single transferable vote of proportional representation.

Composition and Members of the Constituent Assembly of India

Initially, the number of members was 389. However, once the India-Pakistan partition was officially announced, some of the members of the Assembly left for Pakistan and making the number come down to 299. Out of these 299 members, 229 were from the British provinces and 70 were nominations from the princely states.

- Dr Sachchidananda Sinha was the first chairman of the Constituent Assembly, put up temporarily.
- Later, Dr Rajendra Prasad was the first elected President of the Assembly while Harendra Coomar Mookerjee became the first Vice President. BN Rau was the constitutional advisor.

Committees of Constituent Assembly of India and their Chairmen

The Indian constitution is the lengthiest written constitution in the world, a fitting feat for one of the biggest democracies in the world. For its smoother and more effective functions, the members were divided into several committees. The table below lists the several committees of the Constituent Assembly along with their chairmen;

Committees of Constituent Assembly of India	
Drafting Committee	Dr. B R Ambedkar
Union Constitution Committee	Jawaharlal Nehru
Union Powers Committee	Jawaharlal Nehru
States Committee	Jawaharlal Nehru
Steering Committee	Dr Rajendra Prasad
Rules of Procedure Committee	Dr Rajendra Prasad
Provincial Constitution Committee	Sardar Vallabhbhai Patel
Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas:	<ul style="list-style-type: none"> • Fundamental Rights Sub-Committee: Acharya Kripalani • Minorities Sub-Committee: H C Mookerjee • Excluded and Partially Excluded Areas (Other than those in Assam) Sub-Committee: A V Thakkar • North-East Frontier Tribal Areas and Assam Excluded & Partially Excluded Areas Sub-Committee: Gopinath Bardoloi

Facts about the Constitution of India

The Constitution of India was an interesting draft. There are some factoids about it listed below that are relevant from the perspective of the UPSC Exams.

- It took over 2 years, 11 months and 18 days to frame the Constitution
- The original drafts of the Constitution were handwritten, not typed or printed. They are currently kept in a helium-filled case within the library of the Parliament as it is an invaluable artefact of our history.
- Prem Bihari Narain Raizada was the calligraphist who had written the unique copies that defined the Structure of India.
- The Constitution of India was written in English and Hindi originally.
- The Constitution of India has a lot of elements that have been borrowed from constitutions of countries all across the globe, like Britain, Ireland, Japan, the USA, South Africa, Germany, Australia, and Canada.
- The basic structure of the Indian Constitution borrows from the Government of India Act, 1935 drafted by the British Government.
- It is the world's longest Constitution.
- The Constitution is not completely federal or unitary, it is more of a federal System with Unitary Features
- The country follows a bicameral Parliamentary form of government.

Key Facts Related to the Constituent Assembly of India

There were several important dates and events in the tenure of the Constituent Assembly that are relevant from the UPSC standpoint. They have been compiled in the table below;

Constituent Assembly of India Key Facts for UPSC Exam	
When did the constituent assembly first meet?	9 December 1946
Did the Muslim League play any role in the formation of the Constitution of India	No, the Muslim League did not play any role in the constituent assembly as its members had boycotted this meeting. This aligned with their demand for a partition of the country.
Who proposed the notion of Objective Resolution and when?	Jawaharlal Nehru moved the 'Objective Resolution' on 13 December 1946.

What is the 'Objective Resolution'?	Objective Resolution concisely enshrines the hopes, aspirations and values of the constitution-makers. It guaranteed the people of India social, economic and political justice, equality along with fundamental freedom. This resolution was passed unanimously on 22 January 1947. The Preamble to the Constitution is based on it.
When was the National Flag of Union adopted?	The National Flag of the Union was adopted on 22 July 1947
How many days were taken by the constituent assembly assembled to frame the constitution?	The Assembly took 2 years, 11 months and 17 days to frame the constitution. Rs. 64 lakhs were spent on the framing of the constitution.
When was Jana Gana Mana adopted as our national anthem?	'Jana Gana Mana' was adopted as the national anthem on 24 January 1950.
How many articles are in the final draft of the constitution?	The final document had 22 parts, 395 articles and 8 schedules.
How many sessions did the constituent assembly meet for?	The assembly had met for 11 sessions
When was the draft of the Indian Constitution published?	The draft was published in January 1948. The window for the country's people to give their feedback was set to be at 8 months.

When was the last session of the Constituent Assembly?	The last session was held during 14 – 26 November 1949. The constitution was passed and adopted by the assembly on 26 November 1949
When did the constitution of India come into force?	The constitution came into force on 26 January 1950, which is now celebrated as our Republic Day.

Criticism of the Constituent Assembly

Like any other concept that is put out in the world, the Constituent Assembly drew some points of criticism from people, they have been listed below;

- It wasn't a representative body since the members weren't directly tagged by an adult ballot. Still, the leaders did enjoy popular support from the people. Direct choices by the universal adult ballot at that time when the country was on the point of partition and amidst collaborative screams would have been impractical.
- It's said that the makers took a long time to frame the constitution. However, keeping in mind the complexity and the tricks of the different and large Indian nations, this can be understood. This was not a document that could have been written hurriedly.
- The constituent assembly wasn't an autonomous body since it was created by the British. It is important to keep in mind that it worked like a completely independent and autonomous body with no British interference.
- The language of the constitution was criticised for being erudite and complicated.
- The assembly was dominated by the Congress Party and it was called a one-party assembly. It is important to note that the country was being led by the INC which is why a lot of the popular leaders were affiliated with it. It was also a diverse and miscellaneous party that had members coming from nearly all sections of Indian society.
- It was contended that the assembly had Hindu dominance. This was again because of commensurable representation from communities.