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Constitution, Authored By: Ms. Manjot Kaur, Assistant Professor,
University Institute of Law, Sant Baba Bhag Singh University,
Jalandhar,
Email Id: manjotbains08@gmail.com.***



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ABSTRACT:

*“The constitution of India is nothing but Fundamental Law of India. It is also supreme deed of Independent India. It is clearing the doctrine, Powers of Separation, which explaining functional system of rules, structures and principles of our nation. It provides the citizen and other people with Liberty, Equality, Fraternity, Freedom and what not. Constitution of India is distinct with its features to the other constitution of the world. This research paper is deals with **SOVEREIGNTY** and **FEDERALISM** of the Constitution of India and deals with the effects of constitution amendments vis-a-vis socio economic justice. The Research paper also deals with the **PREAMBLE** of Constitution of India, which clears the importance of preamble and historical background of preamble in the Constitution of India. This research paper also includes historical/landmark judgments of Indian supreme court which judgments play his role in Amendment in Constitutional provisions. It also revolves round the Indian and International issues connected with it”.*

I. INTRODUCTION:

Constitution of India is the **FUNDAMENTAL LAW** of the India and also a **BASIC DOCUMENT** of India which is written document. It is the **SUPREME DEED** of Independent India and Living Document of Nation. Young minds should know about this basic document of India i.e. The Constitution of India and its principles, ideas and goal that affects their mind in day-to-day life. The Constitution is defined as 'a set of devices to subject the freedom of the 1 holder of political power to limitation and restraints.' The Constitution of India is helping to creating a constitutionalism environment in the society, it is also political maturity, and it is also helpful to remember us the ideal goal for freedom fights. In the world largest democracy country i.e., **INDIA** is also known as their great constitution. Which are the words' longest and greatest constitution, it reflects, **SOVEREIGN, SOCIALIST, SECULAR, DEMOCRATIC REPUBLIC, JUSTICE, LIBERTY, EQUALITY, FETERNITY.**

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This reflection shown in the Preamble of the Constitution of India, which is called the mirror of the Constitution. The theory of **KELSEN**, Constitution is thus equivalent to a **GROUND NORM** or the basic rule. **ATISTOTLE** said about the Constitution that the greatest of all means for ensuring the stability of constitution but one which is nowadays neglected is the education of citizens in the spirit of their Constitution.

JUSTICE KHANNA said in the **ADM, Jabalpur vs. S. Shukla, AIR 1976 SC 1207,**

Rule of law is the anti-thesis of arbitrariness. Rule of law is now the accepted norm of all civilized societies. Everywhere it is identified with liberty of the individual. It seeks to maintain a balance between the opposing notions of individual liberty and public order. In every state, the problem arises of reconciling human rights with the requirement of public interest. Such harmonizing can only be attained by the existence of independent courts which can hold the balance between citizen and the state and compel government to conform to law.

II. FEATURES OF THE CONSTITUTION OF INDIA ARE AS

UNDER:

- *The Lengthiest constitution in the world.*
- *Written Constitution.*
- *Drawn from different sources.*
- *It is Quasi-Federal Structure.*
- *Secular Character of the State.*
- *The Concept of Single Citizenship.*
- *The Doctrine of Rule of Law.*
- *Promise of social and political equality.*
- *It includes Fundamental Rights, Directive Principles of State Policy and Fundamental Duties.*

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- *It is combination of Rigidity and Flexibility.*
- *Emergency Related Provisions.*
- *It gives the doctrine of Separation of Power. [Judiciary Executive Legislative]*
- *It provides us Law making procedure.*

III. FOR PROPER UNDERSTANDING OF OUR CONSTITUTION, **WE SHOULD FOLLOW SOME CHARACTERISTICS LIKE:**

- *Studies with other countries (Global) Constitution with Constitution of India.*
- *To understand the key mind of framers of the Constitution of India.*
- *Debate of Constitutional Assembly.*
- *Ideal goal for freedom fights.*
- *Understating of Preamble of Constitution of India.*
- *Interpretation of Judiciary on Constitution of India.*

Supreme Court of India explicitly states in Union of India vs. Raghbir Singh (1989) 2
SCC 754:

GRANVILLE AUSTIN said about Indian Constitution that Indian Constitution is first and foremost a social document. **The Constitution of India develops some provision or creating the path of Development, like:**

- *Breach of Fundamental Rights.*
- *Definition of State Article -12.*
- *Common Civil Code.*
- *Consumer Protection Movement.*
- *Strict liability of Government.*
- *Lok Adalat.*
- *Legal Aid Programmes.*

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- *Measures for control of Environmental Pollution.*
- *Public Interest Litigation (PIL)*
- *Uplifts of status of women.*
- *Women and domestic violence.*

IV. SUPREME COURT OF INDIA HAS DEFINE THE **CONSTITUTION OF INDIA AS UNDER:**

- Constitution is organic in nature. Being a living organ, it is ongoing. Hence, with the passage of time, the law must change.
- The rule of law is the core of our Constitution, and it is the essence of the rule of law that the exercise of power by the state, whether by the legislature or the executive or any other 6 authorities, should be within Constitutional limits.
- The Rule of law affirms Parliament's supremacy, while at the same time denying sovereignty over the Constitution.
- The Constitution of India, being a written Constitution, is the fundamental law of the land.
- No authority created under the Constitution is supreme; the constitution is supreme; and all the authorities' function under the supreme law of the land.
- People of the country, the organs of the Government, Legislature, Executive and Judiciary are all bound by the Constitution, which is the paramount law of the land, and nobody is above or beyond the Constitution.

V. CONCLUSION:

The Constitution of India is the Supreme Law of India. No Law or Provisions can prevail on Constitution of India. It is obligation to the Judiciary, Executive and Legislative Branch of the Nation i.e. The Doctrine of Separation of Power. In recent era we need healthy

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interpretation of our Constitution. According to *ARISTOTLE*, Constitution is the way of life the State has chosen for itself. The Constitution of India is always playing a very important role in context of Indian Society and Indian Cultural, at where may religious are available, at where many languages, traditions, thoughts, beliefs are available. India is for Communal Persons, Secular Person vis-a-vis Atheist also. Specially, geographically position and condition of India is special in global. The Constitution of India give us Right to Equality, and Equality according to *KARL MARX*, By Equality we should understand not that the degree of power of riches be identical for everybody but that no citizen be wealthy enough to buy another and none poor enough to be forced to sell himself. Rig Veda is also clear view about Equality that No one is superior or inferior, all are brothers. All should progress collectively. In the conclusion, The Constitution of India is the Tailor-Made Constitution for the Indian Society, and The Judiciary if the Protector of it.

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