

Anekant Education Society's
Anekant Institute of Management Studies (AIMS)

[E] ENRICHMENT (ENR) COURSES (ELECTIVES) – 1 Credit Each
50 Marks CCE, 00 Marks ESE

ENR – 81 Constitution of India

Course No.	Course Name	Duration	LTP Credits	Year of Introduction
ENR – 81	Constitution of India	21 Hours	4-0-1	2021

Description: Understanding the Constitution is very important for anyone connected with the Management & Law field as it serves as the Heart of all laws. Through this Course you will get:

- Complete and Detailed Understanding of the Subject
- De-coding Recent Amendments and Enactments
- Landmark and Recent Case Studies
- Relevant and Up-to-date Information

Object: India is a democracy and her Constitution embodies the Principles of the democratic government. A good understanding of the Constitution and the constitutional amendments, judicial decisions, constitutional practice and conventions, is therefore, absolutely necessary for a student of law. He must also know the genesis, nature and special features of the Constitution and be aware of the social, political and economic influence on it. A student must learn how various interpretations of the constitution are possible and how do they influence the growth of constitutional law. Judicial review is an important aspect of constitutional law. The application of basic structure objective in the evaluation of executive actions is an interesting development of Indian constitutional law.

Course Objectives:

1. To Enable the student to understand the importance of constitution.
2. To understand the structure of executive, legislature and judiciary.
3. To understand philosophy of fundamental rights and duties.



4. To understand the autonomous nature of constitutional bodies like Supreme Court and high court, controller and auditor general of India and election commission of India.
5. To understand the central and state relation, financial and administrative.

Course Outcomes:

Course Outcome	Course Outcome Statement	Bloom's Taxonomy	Level
ENR-8101	Able to understand historical background of the constitutional making and its importance for building a democratic India, the structure of Indian government, the structure of state government, the local Administration.	Understanding	1 & 2
ENR-8102	Able to apply the knowledge on directive principle of state policy, the knowledge in strengthening of the constitutional institutions like CAG, Election Commission and UPSC for sustaining democracy.	Application	3
ENR-8103	Able to analyze the History, features of Indian constitution, the role Governor and Chief Minister, role of state election commission, the decentralization of power between central, state and local self-government.	Analysis	4
ENR-8104	Able to evaluate Preamble, Fundamental Rights and Duties, Zilla Panchayat, block level organization, various commissions of viz SC/ST/OBC and women.	Evaluation	5

Teaching Pedagogy:

Lectures: The basic concepts and theories of the course content are introduced in lectures. Examples are provided.

Practical: Actual problem given in the practical sessions and resolved during the sessions. Interaction with various devices made them confident about constitution.

Syllabus:

UNIT I: MAKING OF CONSTITUTION AND FEATURES

- 1.1 Making of Indian Constitution
- 1.2 Nature of constitution
- 1.3 Salient Features of the Indian Constitution
- 1.4 Citizenship-under constitution and Citizenship Act 1955
- 1.5 Preamble



UNIT II: FUNDAMENTAL RIGHTS- JUSTICIABILITY- STATE OBLIGATION- ART 12-13

- 2.1 Fundamental Rights – meaning and scope of
- 2.2 Definition of ‘State’ for enforcement of fundamental rights
- 2.3 Justiciability of fundamental rights
- 2.4 Definition of law for constitutional law purpose
- 2.5 Doctrine of eclipse, severability, waiver.

UNIT III: RIGHT TO EQUALITY (ART 14-18)

- 3.1 Equality before law and equal protection of law
- 3.2 Classification for differential treatment- Constitutional validity
- 3.3 Protective measures –gender discrimination
- 3.4 Protective discrimination in favor of certain sections of the society
- 3.5 Untouchability and abolition of titles

Course Evaluation:

This course is of 50 marks for which Internal MCQ Examination will be conducted.

Reference Books:

- 1. T.K, Tope : Constitutional of India.
- 2. G.Austin, History of Democratic Constitution: The Indian Experience(2000) Oxford.
- 3. D.D. Basu : Shorter Constitution of India : (1996) Prentice Hall of India, Delhi.
- 4. Constituent Assembly Debates Vol. 1 to 12 (1989).
- 5. H.M. Seervai : Constitution of India. Vol.-1-3 (1992), Tripathy, Bombay.
- 6. M.P. Singh (ed) V.N. Shukla : Constitutional Law of India (2000) Oxford.
- 7. G.Austin: Indian Constitution:- Cornerstone of a Nation (1972)
- 8. M.Glanter: Competing Equalities – Law and the Backward Classes in India (1984) Oxford.
- 9. B. Sivaramayya : Inequalities and the Law (1984) Eastern, Lucknow.
- 10. S.C. Kashyap : Human Rights and Parliament (1978) Eastern Lucknow.
- 11. Dr. Pandey J.N. : Constitutional Law of India. (2007) Central Law Agency.
- 12. P.M.Bakshi, Constitution of India, Universal
- 13. M.P.Jain Indian Constitutional Law, Wadhwa
- 14. Granville Austin The Constitution of India, Oxford.



Anekant Institute of Management Studies (AIMS) Baramati

Attendance Report

Subject: ENR-81 Constitution of India Code: Add on Course

Course Teacher: Dr. P. V. Yadav A Y: 2022-23 SEM-III

Roll No	Student Name	Total Lectures	Present	Absent	Percentage
029	Shubhangi Sanjay Dargude	21	16	5	76.19
030	Amruta Rajkumar Deshmukhe	21	16	5	76.19
083	Mohite Snehal satish	21	15	6	71.43
085	Asif Sikandar Mulani	21	13	8	61.90
122	THOKALE TUSHAR SHRIMA	21	15	6	71.43
124	Gaurav Satish Yadav	21	14	7	66.67
005	Pritee nandkumar babar	21	16	5	76.19
064	Kate Anuradha vijaysingh	21	17	4	80.95
68	Khomane Sonali Satish	21	14	7	66.67
073	Akanksha Dhananjay Lavate	21	18	3	85.71
075	Lipare Kshitija Avinash	21	14	7	66.67
028	Atul Bhagawat Darade	21	17	4	80.95
046	Vishal Laxman Hagare	21	13	8	61.90
108	Avinash Vilas Shende	21	15	6	71.43
007	Niranjana Devanand Bhandare	21	14	7	66.67
53	Poonam Sanjay Jadhav	21	15	6	71.43
079	Abhijeet Sayaji Mane	21	14	7	66.67
084	MORE SAYALI DADASO.	21	17	4	80.95
88	Aishwarya Nalage	21	13	8	61.90
107	Saida salim sayyad	21	17	4	80.95
115	Priyanka Mahendra Sonawane	21	16	5	76.19
54	Vaishnavi Hemant Jadhav	21	14	7	66.67
55	Gourav vishwas jagtap	21	17	4	80.95
58	Akshata Subhana Jetwan	21	13	8	61.90
61	kadam akshada hanumant	21	17	4	80.95
062	Kamble Saloni Deepak	21	16	5	76.19

Course Teacher: Dr. P. V. Yadav



Anekant Education Society's
ANEKANT INSTITUTE OF MANAGEMENT STUDIES (AIMS)
Baramati, Pune
MBA-II Sem-III (A.Y 2022-23)

Course Completion Report

Course Code & Title: Constitution of India

1. Type of Course: Add-On Course
2. Marks: 50
3. Name of Faculty: Dr. Pravin V. Yadav

Sr. No	Date	Topic Title
1	10-11-2022	UNIT I: MAKING OF CONSTITUTION AND FEATURES Making of Indian Constitution
2	14-11-2022	Nature of constitution
3	17-11-2022	Salient Features of the Indian Constitution
4	21-11-2022	Citizenship-under constitution and Citizenship Act 1955
5	24-11-2022	Preamble
6	28-11-2022	Review
7	31-11-2022	UNIT II: FUNDAMENTAL RIGHTS- JUSTICIABILITY- STATE OBLIGATION- ART 12-13
8	04-12-2022	Fundamental Rights – meaning and scope of
9	07-12-2022	Definition of 'State' for enforcement of fundamental rights
10	11-12-2022	Justiciability of fundamental rights
11	18-01-2022	Definition of law for constitutional law purpose
12	21-12-2022	Doctrine of eclipse, severability, waiver.
13	25-12-2022	Review
14	28-12-2022	Review
15	04-01-2023	UNIT III: RIGHT TO EQUALITY (ART 14-18)
16	08-01-2023	Equality before law and equal protection of law
17	11-01-2023	Classification for differential treatment- Constitutional validity
18	15-01-2023	Protective measures –gender discrimination
19	18-01-2023	Protective discrimination in favor of certain sections of the society
20	22-01-2023	Untouchability and abolition of titles
21	25-01-2023	Open Book Test

Total Sessions Taken during Semester: 21





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CERTIFICATE OF COMPLETION

This is to certify that

Mr. /Ms Shubhangi Sanjay Dargude

Roll Number 673122029

has successfully completed **Add on Course in Constitution of India**
from 30/11/2022 to 15/01/2022

Dr. P. V. Yadav
Course Teacher



Dr. M. A. Lahori
Director



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This is to certify that

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CERTIFICATE OF COMPLETION

This is to certify that

Mr. /Ms Abhijeet Sayaji Mane

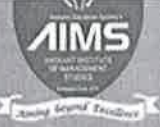
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Mr. /Ms Saida Salim Sayyad

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This is to certify that

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This is to certify that

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Dr: P. V. Yadav
Course Teacher



Dr. M. A. Lahori
Director

PREAMBLE OF THE CONSTITUTION OF INDIA



सत्यमेव जयते

INTRODUCTION

- ◎ *A preamble is an introductory statement of a constitution which lays down the ideals it attempts to promote. A preamble to an Act of Parliament gives its reasons and purposes and lays down the aims and objects for which a particular Act has been passed. The idea of the Preamble has been borrowed from the Constitution of the U.S.A. The Constitution of the Republic came into effect on 26 January 1950. It was drawn up by a Constituent Assembly initially summoned on December 9, 1946. A draft of the Constitution was published in February 1948. The Constitution was finally adopted for 26 November 1949. It came into effect on 26 January 1950.*



TEXT OF THE PREAMBLE

- ◉ ***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.***



Purpose of Having a Preamble:

- ◎ *The Preamble to our Constitution serves two purposes: -*
 - A) It indicates the source from which the Constitution derives its authority;*
 - B) It also states the objects, which the Constitution seeks to establish and promote.*

The Preamble seeks to establish what Mahatma Gandhi described as The India of my Dreams, "...an India in which the poorest shall feel that it is their country in whose making they have an effective voice; ...an India in which all communities shall leave in perfect harmony. There can be no room in such an India for the curse of untouchability or the curse of Intoxicating drinks and drugs. Woman will enjoy as the same rights as man."



The Preamble of the Constitution reads as follows:

- ◉ *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 of November, 1949, do hereby adopt, enact and give to ourselves this Constitution.



MAIN FEATURES OF THE PREAMBLE

- *Source of Constitutional Authority*
- *Nature of the State*
- *Objectives of the Constitution*



Source of Constitutional Authority

- *Sovereignty and Ultimate power rests with the people*
- *The framers of the Constitution were the representatives of the People.*
- *The will of the people is the basis of the Constitution*



NATURE OF THE STATE

- ◉ *India has been declared as*
- ◉ *Sovereign,*
- ◉ *Socialist,*
- ◉ *Secular,*
- ◉ *Democratic,*
- ◉ *Republic through this Preamble.*



INDIA IS A SOVEREIGN STATE

- ◎ ***Sovereign-The word sovereign means supreme or independent. 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.***



INDIA IS A SOCIALIST STATE

- ❖ ***Socialist** - The word socialist was added to the Preamble by the Forty-second Amendment. It implies social and economic equality. Social equality in this context means the absence of discrimination on the grounds only of caste, colour, creed, sex, religion, or language. Under social equality, everyone has equal status and opportunities. Economic equality in this context means that the government will endeavour to make the distribution of wealth more equal and provide a decent standard of living for all. This is in effect emphasized a commitment towards the formation of a welfare state. India has adopted a socialistic and mixed economy and the government has framed many laws to achieve the aim.*
- ✓ ***Present Position:** The new Economic Policy of India declared in 1991 propagated privatisation and Liberalisation. The role of private sector was restricted and import of foreign technique and capital made easy. Therefore, India doesn't fulfil the qualifications of Socialist state.*



INDIA IS A SECULAR STATE

- ❖ *Secular – The word secular was also inserted into the preamble by the Forty-second Amendment. It implies equality of all religions and religious tolerance. India, therefore does not have an official state religion. Every person has the right to preach, practice and propagate any religion they choose. The government must not favour or discriminate against any religion. It must treat all religions with equal respect. All citizens, irrespective of their religious beliefs are equal in the eyes of law. No religious instruction is imparted in government or government-aided schools.*



INDIA IS A DEMOCRATIC STATE

❖ *Democratic - India is a democracy. The people of India elect their governments at all levels (Union, State and local) by a system of universal adult suffrage; popularly known as "one man one vote". Every citizen of India, who is 18 years of age and above and not otherwise debarred by law, is entitled to vote. Every citizen enjoys this right without any discrimination on the basis of caste, creed, colour, sex, religion or education. Republic*

As opposed to a monarchy, in which the head of state is appointed on 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.

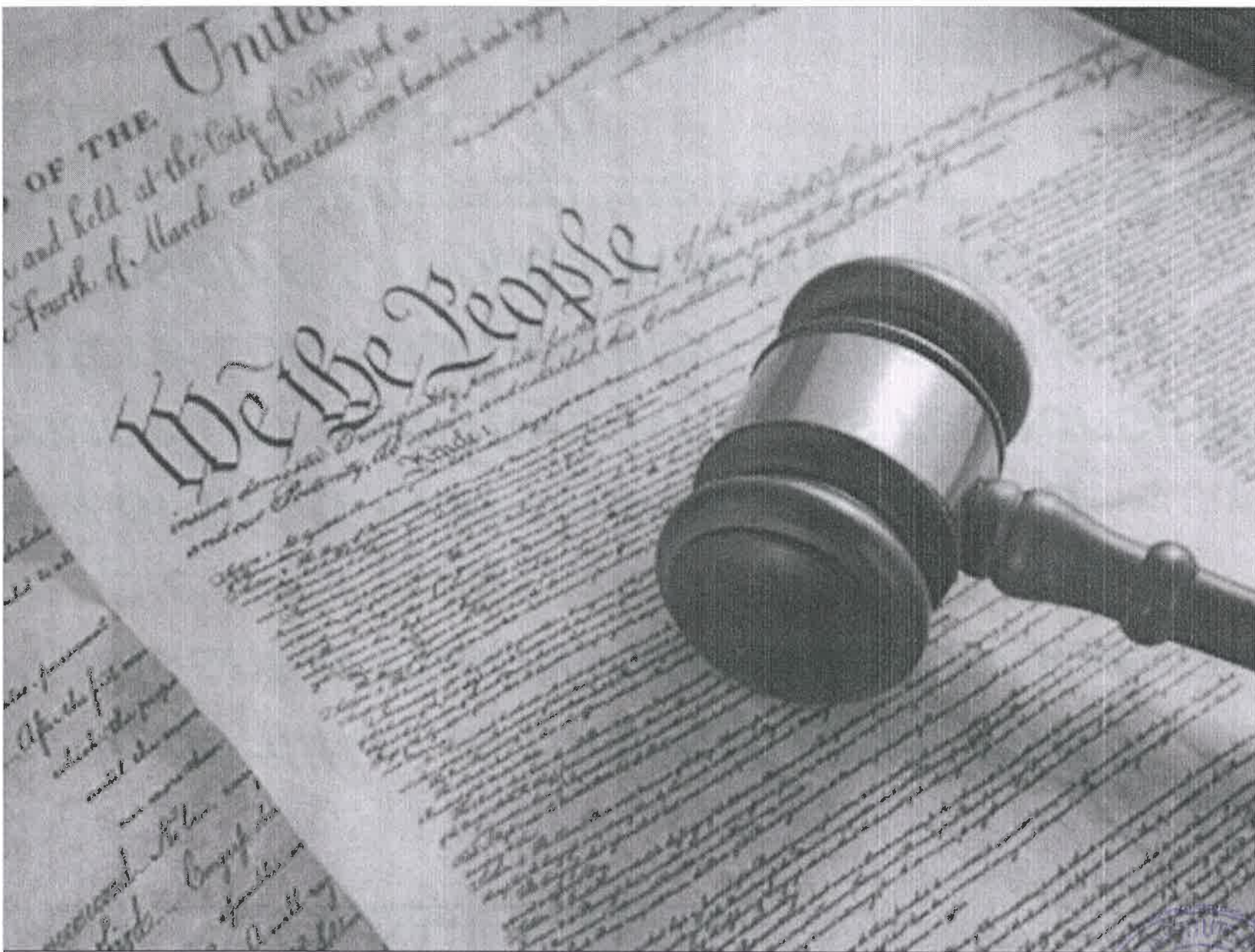


INDIA IS A REPUBLIC

- ◎ *India qualifies to be a republic. The President is indirectly elected by the people for a fixed tenure and he makes use of his power on the advice of a council of ministers which is responsible before Lok Sabha which is the house of the people's representatives directly elected by them on the basis of universal adult franchise.*



JUSTICE.....



OBJECTIVES OF THE CONSTITUTION

- ❑ *Justice – The foremost objective is to secure justice for the people of India so that they are able to make development of their personality.*
 - a) *Social Justice*
 - b) *Economic Justice*
 - c) *Political Justice*



❑ *Liberty – The other objective is to Secure liberty of the people of India and the different kinds of Liberties are given below:*

- a) Liberty of Thought*
- b) Liberty of Expression*
- c) Liberty of Belief and Faith*
- d) Liberty of Worship*



- ❑ *Equality – The third objective laid down in the Preamble is to ensure equality to all and the different kinds of Equalities are :*
- *Equality of Status: The constitution of India ensures equality of status to all. According to Article – 15, the State shall not discriminate against any citizen on grounds of religion, race, caste, etc.*
- *Equality of Opprtunities: Article – 16 of the constitution provides equality of opportunities for all citizens in matters relating to employment or appointment to any office under the State.*



- ❑ *To Promote Fraternity –The Preamble stresses to promote fraternity among the people of India so that they are able to rise above the narrow feelings of communalism, lingualism, regionalism, provincialism, racism and casteism etc.*
- ❑ *Assuring the Dignity of the Individual*
- ❑ *Assuring the Unity and Integrity of the Nation*



DATE OF ADOPTION OF THE CONSTITUTION

- *The Constitution was adopted on November 26, 1949 by the Constituent Assembly and was enforced on January 26, 1950*



SIGNIFICANCE OF THE PREAMBLE

- *The Preamble of Indian Constitution reflects the basic structure and the spirit of the Constitution. It is regarded that the preamble serves as a channelising tool for the interpretation of the Constitution as a whole*
- *The Preamble acts as the preface of the constitution of India and lays down the fundamental value and philosophical ideas. It represents the entire Constitution in its written words.*



- *It contains the basic features of the Constitution and thus considered to be a vital part. The Preamble is significant because it highlights the type of society and government it wishes to establish.*
- *However , The Preamble doesn't contain laws enforceable in a court but no law can be enacted or amended in a manner that violates the spirit of the Preamble. Thus the Preamble of the constitution of India is unamendable and unalterable.*



References

- ◉ Avasthi, A.P, Indian Government and Politics, Narain Agarwal, Agra, 2001.
- ◉ Badyal, J.S, Indian Government and Politics, Raj Publishers, Jalandhar, 2013.
- ◉ Fadia, B.L, Indian Government and Politics, Sahitya Bhawan Publication, Agra, 2002
- ◉ Ghai, U.R, Indian Government and Politics, New Academic Publishing, Jalandhar, 2002.
- ◉ Gupta, D.C, Indian Government and Politics, Vikas Publishing House, New Delhi, 1978
- ◉ Johari, J.C, Indian Government and Politics, Vishal Publication, 1979.

