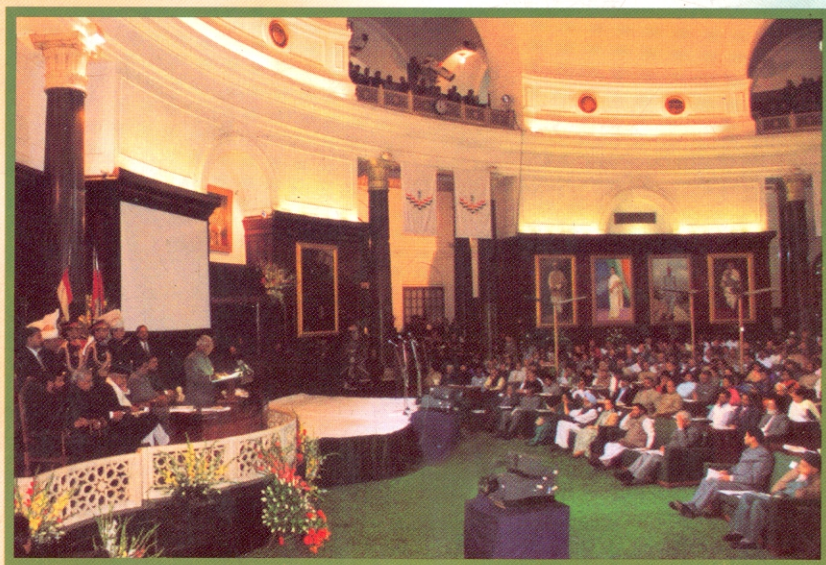




GOLDEN JUBILEE OF THE REPUBLIC OF INDIA



*Select Proceedings of the Constituent Assembly relating
to the Adoption and Signing of the Constitution and
some related Parliamentary Functions*

LOK SABHA SECRETARIAT
NEW DELHI
JANUARY 2001

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OF
THE REPUBLIC OF INDIA**

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to the Adoption and Signing of the Constitution and
some related Parliamentary Functions*

[This publication was compiled by the Lok Sabha Secretariat for distribution among dignitaries at a function to mark the conclusion of the Golden Jubilee Celebrations of the Republic which was scheduled to be held in the Central Hall of Parliament House on 27 January 2001. The function was, however, cancelled following the devastating earthquake which ravaged Gujarat on 26 January 2001.]

LOK SABHA SECRETARIAT
NEW DELHI
JANUARY 2001

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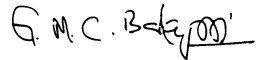
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FOREWORD

On 26th January 2000, when we started the celebrations of fifty years of the birth of our Republic and the commencement of our Constitution, the entire nation rejoiced in the success of India's democracy and the contribution of the Parchment to this singular achievement. A grateful nation paid its homage to the collective wisdom and farsightedness of the Constituent Assembly. The great visionaries, statesmen and constitutional experts who gathered in that Assembly gave unto us a statute that has met the needs of an ancient society reborn as a free and democratic nation after centuries of alien rule. What they drafted and bequeathed to us, the people of India, has undoubtedly turned out to be one of the greatest Republican Constitutions in the world.

Our Constitution is at once an instrument of modernisation and development as also a blue print for cooperative federalism, much needed in a highly diversified society like ours. During the last five decades of its operation, the moral and political inspiration that has emanated from the enlightened provisions of the Constitution has not only strengthened India's democratic traditions but also helped to retain a strong and integral national identity. The ideals of a secular, democratic and parliamentary form of Government have served the country in no small measure and have facilitated much progress in diverse fields.

On the conclusion of the Fiftieth Anniversary celebrations of our Republic, let us once again pay our tribute to the sagacity and innate wisdom of the Founding Fathers of our Constitution and rededicate ourselves to the unfinished tasks that lie ahead of us. For this, we can as well derive inspiration from the pages of our rich and varied history, specially the vision that permeated the founders of our Republic when they met in the Constituent Assembly over fifty years ago. This publication is a humble tribute to that era of dedicated visionaries, all shining stars on the national firmament.



New Delhi
27 January, 2001

G.M.C. BALAYOGI
Speaker
Lok Sabha

PREFACE

The 26th of January 1950 was indeed a momentous day in the history of the modern Indian nation. It was on this day that after more than two years of enlightened labour, the Constituent Assembly bequeathed to the people of India their Charter of Freedom, the scheme and framework of governance for the generations to come. In the decades that followed, our Constitution illumined the path before us, ever guiding us on the right course and never failing us in confronting unchartered tasks. In the process, the Constitution of Free India has served as a beacon not merely for the people of this country, but to all those who broke free from the chain of thralldom.

A year ago, we commenced the Fiftieth Anniversary celebrations of our Republic with a solemn function in the Central Hall of Parliament House on 27th of January 2000. A year later, we conclude these celebrations on 27th of January 2001 with another function in this very same Hall where the Constituent Assembly used to meet while drafting the Constitution. As a mark of respect to those visionaries, as also to derive inspiration from their lofty thoughts and ideals, we are bringing out this publication which contains select proceedings of the Constituent Assembly of India. The publication also carries the texts of Addresses delivered by dignitaries at the related commemorative functions held in the Central Hall of the Parliament House, *viz.* Addresses at the function to mark the Fiftieth Anniversary of the first sitting of the Constituent Assembly (9 December, 1996); Address by the President of India, Shri K.R. Narayanan at the Commemorative Function of the Golden Jubilee of India's Independence (14-15 August, 1997); Address by the President of India, Shri K.R. Narayanan at the Closing Function of the Fiftieth Anniversary Celebrations of India's Independence (15 August, 1998); and Addresses on the occasion of the Fiftieth Anniversary of the Republic of India (27 January, 2000). It also carries interesting information pertaining to the Sessions of the Constituent Assembly, its important Committees and their Chairmen, State-wise membership of the Assembly and other relevant facts and figures about the functioning of the Assembly. Some rare photographs relating to the Constituent Assembly also find place in this publication.

New Delhi
27 January, 2001



G.C. MALHOTRA
Secretary-General
Lok Sabha

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**INVITATION TO MEMBERS TO
ATTEND THE FIRST MEETING OF
THE CONSTITUENT ASSEMBLY
ISSUED BY THE SECRETARY OF
THE CONSTITUENT ASSEMBLY**

20 November, 1946

In pursuance of paragraph 21 of the statement made by the Cabinet Delegation and His Excellency the Viceroy on the 16th May, 1946, the Provincial Legislatures have elected their representatives to the Constituent Assembly. I am now, under His Excellency the Viceroy's instructions, to request you as a member of the Constituent Assembly to attend its first meeting which will be held at 11.00 A.M. on the 9th December, 1946 at the Constituent Assembly Chamber in the Council House, New Delhi.

FIRST DAY IN THE CONSTITUENT ASSEMBLY

The Constituent Assembly met for the first time in New Delhi on 9 December, 1946 in the Constitution Hall which is now known as the Central Hall of Parliament House. Decorated elegantly for the occasion, the Chamber wore a new look on that day with a constellation of bright lamps hanging from the high ceilings and also from the brackets on its walls.

Overwhelmed and jubilant as they were, the hon'ble members sat in semi-circular rows facing the Presidential dais. The desks which could be warmed electrically were placed on sloping green-carpeted terraces. Those who adorned the front row were Pandit Jawaharlal Nehru, Maulana Abul Kalam Azad, Sardar Vallabhbhai Patel, Acharya J.B. Kripalani, Dr. Rajendra Prasad, Smt. Sarojini Naidu, Shri Hare-Krushna Mahatab, Pandit Govind Ballabh Pant, Dr. B.R. Ambedkar, Shri Sarat Chandra Bose, Shri C. Rajagopalachari and Shri M. Asaf Ali. Two hundred and seven representatives, including ten women, were present.

The inaugural session began at 11 a.m. with the introduction of Dr. Sachchidananda Sinha, the temporary Chairman of the Assembly, by Acharya Kripalani. While welcoming Dr. Sinha and others, Acharyaji said: "As we begin every work with Divine blessings, we request Dr. Sinha to invoke these blessings so that our work may proceed smoothly. Now, I, once more, on your behalf, call upon Dr. Sinha to take the Chair."

Occupying the Chair amidst acclamation, Dr. Sinha read out the goodwill messages received from different countries. After the Chairman's inaugural address and the nomination of a Deputy Chairman, the members were formally requested to present their credentials. The First Day's proceedings ended after all the 207 members present submitted their credentials and signed the Register.

Seated in the galleries, some thirty feet above the floor of the Chamber, the representatives of the Press and the visitors witnessed this memorable event. The All India Radio, Delhi, broadcast a composite sound picture of the entire proceedings.

THE OBJECTIVES RESOLUTION

On 13 December, 1946, Pandit Jawaharlal Nebru moved the Objectives Resolution in the Constituent Assembly :

(1) This Constituent Assembly declares its firm and solemn resolve to proclaim India as an Independent Sovereign Republic and to draw up for her future Governance a Constitution;

(2) WHEREIN the territories that now comprise British India, the territories that now form the Indian States, and such other parts of India as are outside British India and the States as well as such other territories as are willing to be constituted into the Independent Sovereign India, shall be a Union of them all; and

(3) WHEREIN the said territories, whether with their present boundaries or with such others as may be determined by the Constituent Assembly and thereafter according to the law of the Constitution, shall possess and retain the status of autonomous Units, together with residuary powers and exercise all powers and functions of Government and administration, save and except such powers and functions as are vested in or assigned to the Union, or as are inherent or implied in the Union or resulting therefrom; and

(4) WHEREIN all power and authority of the Sovereign Independent India, its constituent parts and organs of Government, are derived from the people; and

(5) WHEREIN shall be guaranteed and secured to all the people of India—justice, social, economic and political; equality of status, of opportunity, and before the law; freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality; and

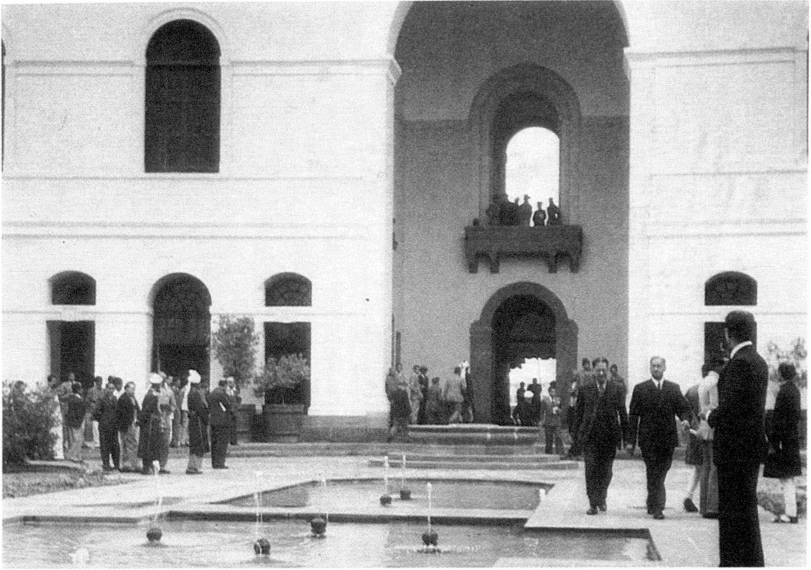
(6) WHEREIN adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes; and

(7) WHEREBY shall be maintained the integrity of the territory of the Republic and its sovereign rights on land, sea and air according to justice and the law of civilized nations; and

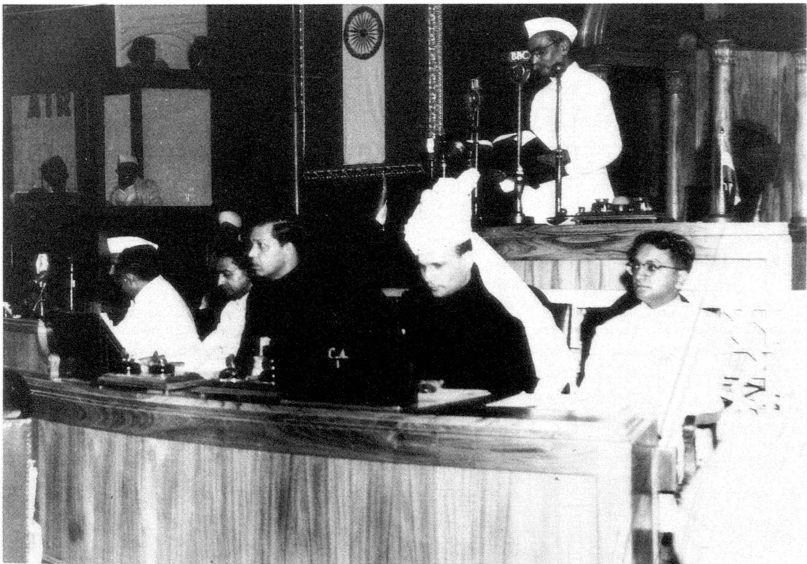
(8) This ancient land attains its rightful and honoured place in the world and makes its full and willing contribution to the promotion of world peace and the welfare of mankind."

This Resolution was unanimously adopted by the Constituent Assembly on 22 January, 1947.

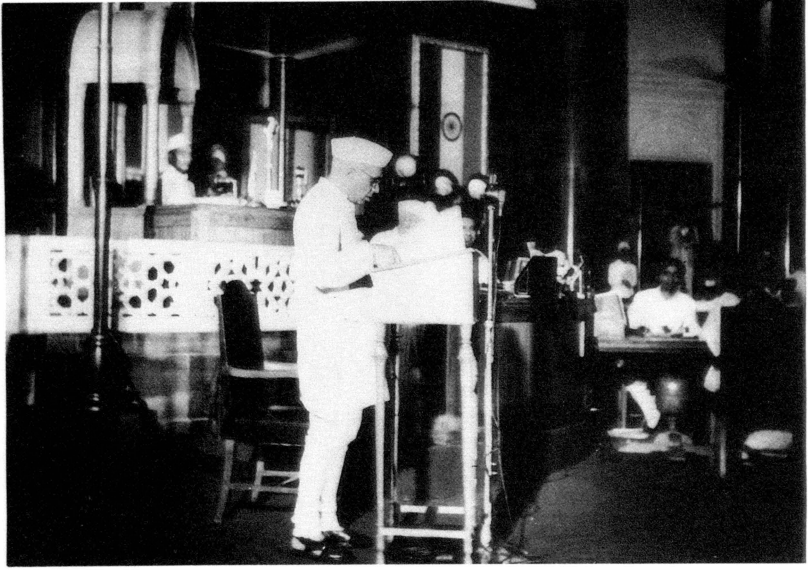
**SELECT PROCEEDINGS OF THE
CONSTITUENT ASSEMBLY OF INDIA**



Members of the Constituent Assembly coming to attend the Assembly Session on the opening day, 9 December, 1946



The President of the Constituent Assembly, Dr. Rajendra Prasad addressing the Assembly



Pandit Jawaharlal Nehru addressing the Constituent Assembly



Shri J.B. Kripalani, Shri Satyanarayan Sinha and Shri N.V. Gadgil arriving to attend a session of the Constituent Assembly

CONSTITUENT ASSEMBLY OF INDIA

Monday, the 9th December, 1946

The first meeting of the Constituent Assembly of India took place in Constitution Hall, New Delhi, on Monday, the 9th December 1946, at Eleven of the Clock.

ELECTION OF TEMPORARY CHAIRMAN

Acharya J.B. Kripalani (United Provinces: General): (in requesting Dr. Sachchidananda Sinha to take the Chair as temporary Chairman, said)—

*[Friends, at this auspicious occasion of historical importance I invite, on your behalf, Dr. Sachchidananda Sinha to be the temporary Chairman of this Assembly. Dr. Sinha needs no introduction. You all know him. He is not only the oldest among us but also the oldest parliamentarian in India, having served, as you know, as a member of the Imperial Legislative Council from 1910 to 1920. He entered the Central Legislative Assembly in 1921 not only as one of its members, but its Deputy President also. He was then entrusted with the portfolio of an Executive Councillor and Finance Member of the Government of Bihar and Orissa. So far as I remember Dr. Sinha was the first Indian who was ever appointed as a Finance Member of a Province. He has a particular taste for education having been Vice-Chancellor of the Patna University for eight years. Over and above all this, Dr. Sinha is the oldest Congressman among us. Up till 1920 he was a member of the Congress, being at one time its Secretary.

After the year 1920 when we started on a new way to gain freedom he parted company with us. He, however, never wholly left us. He has always been helping us. He never joined any other organization and his sympathies were ever with us. Such a person is entitled to be the temporary Chairman of this Assembly. His work is brief but it is all the same most important. It is inaugurating the proceeding of this House. As we begin every work with Divine blessings we request Dr. Sinha to invoke these blessings so that our work may proceed smoothly. Now, I once more, on your behalf, call upon Dr. Sinha to take the Chair.]

*[] English translation of Hindustani speech

(Acharya J.B. Kripalani then conducted Dr. Sachchidananda Sinha to the Chair, which he then occupied amidst acclamation.)

CHAIRMAN'S INAUGURAL ADDRESS

HON'BLE MEMBERS OF THE FIRST INDIAN CONSTITUENT ASSEMBLY :

I am deeply beholden to you for your having agreed to accept me as the first President of your Constituent Assembly, which will enable me to assist you in transacting the preliminary business before the House—such as the election of a permanent President, the framing of the Rules of Business, the appointment of various Committees, and settling the question of giving publicity to, or keeping confidential, your proceedings—which will ultimately lead you to crown your labours by formulating a suitable and stable Constitution for an Independent India. In expressing my sense of appreciation of your great kindness, I cannot conceal from myself that I feel—comparing small things with great—that I am, on the present occasion in the position in which Lord Palmerston found himself when Queen Victoria offered him the highest Order of Chivalry, namely, the Knighthood of the Garter. In accepting the Queen's offer, Lord Palmerston wrote to a friend as follows:—

“I have gratefully accepted Her Majesty's gracious offer as, thank God, there is no question of any damned merit about the honour conferred on me.”

I say I find myself more or less in the same position, for you have agreed to accept me as your President on the sole ground that I am, in age, the senior-most member of this Assembly. Whatever the ground, however, on which you have chosen to have me as your first President, I am nonetheless profoundly grateful to you. I have had, in my fairly long life, several honours conferred on me in recognition of my services as a humble worker in public interest, but I assure you that I regard your mark of favour as a signal honour, which I shall cherish throughout the rest of my life.

On this historic and memorable occasion, you will not grudge, I am sure, if I venture to address to you some observations on certain aspects of what is called a Constituent Assembly. This political method of devising a Constitution for a country has not been known to our fellow-subjects in Britain, for the simple reason, that under the British Constitution, there is no such thing as a constituent law, it being a cherished privilege of the British Parliament, as

the sole sovereign authority, to make and unmake all laws, including the constitutional law of the country. As such we have to look to countries other than Britain to be able to form a correct estimate of the position of a Constituent Assembly. In Europe, the oldest Republic, that of Switzerland, has not had a Constituent Law, in the ordinary sense of that term, for it came into existence, on a much smaller scale than it now exists, due to historic causes and accidents, several centuries back. Nevertheless, the present constitutional system of Switzerland has several notable and instructive features which have strongly been recommended by qualified authorities to Indian constitution-makers, and I have no doubt that this great Assembly will study carefully the Swiss Constitution, and try to utilise it to the best advantage in the interest of preparing a suitable Constitution for a free and independent India.

The only other State in Europe, to the Constitution of which we could turn with some advantage, is that of France, the first Constituent Assembly of which (called "The French National Assembly") was convoked in 1789, after the French Revolution had succeeded in over-throwing the French monarchy. But the French Republican system of Government had been changed since then, from time to time, and is even now, more or less, in the melting pot. Though, therefore, you may not be able to derive as much advantage from a study of the French system of constituent law as that of the Swiss, that is no reason why you should not seek to derive what advantage you can in the preparation of the task before you, by a study of it.

As a matter of fact, the French constitution-makers who met in 1789 at the first Constituent Assembly of their country, were themselves largely influenced by the work done but a couple of years earlier in 1787, by the historic Constitutional Convention held at Philadelphia by the American constitution-makers, for their country. Having thrown off their allegiance to the British King in Parliament, they met and drew up what had been regarded, and justly so, as the soundest, and most practical and workable republican Constitution in existence. It is this great Constitution, which had been naturally taken as the model for all subsequent Constitutions not only of France, but also of the self-governing Dominions of the British Commonwealth, like Canada, Australia, and South Africa; and I have no doubt that you will also, in the nature of things, pay in the course of your work, greater attention to the provisions of the American Constitution than to those of any other.

I have referred above to the self-governing constitutions of the great Dominions of the British Commonwealth being based on, to a large extent, if not actually derived from, the American constitutional system. The first to benefit by the American system was Canada, the historic Convention of which country, for drawing up a self-governing constitution, met in 1864, at Quebec. This Convention drew up the Canadian Constitution, which was subsequently embodied in what is still on the Statute Book as the British North American Act, passed by the British Parliament in 1867. You may be interested to hear that the Quebec Convention consisted of only 33 delegates from all the provinces of Canada, and that Convention of 33 representatives issued as many as 74 resolutions, which were afterwards duly incorporated *in toto* in the British North American Act, under the provisions of which the first self-governing Dominion of the British Commonwealth of Canada, came into existence, in 1867. The British Parliament accepted the Canadian Convention's scheme in its entirety, except for making only one drafting amendment. I hope and pray, Hon'ble Members, that your labours may be crowned with a similar success.

The American constitutional system was more or less adopted in the schemes prepared for framing the Constitutions of Australia and South Africa, which shows that the results achieved by the American Convention, held at Philadelphia in 1787, had been accepted by the world as a model for framing independent federal Constitutions for various countries. It is for these reasons that I have felt justified in inviting your attention to the American system of constituent and constitutional law as one which should be carefully studied by you—not necessarily for wholesale adoption, but for the judicious adaptation of its provisions to the necessities and requirements of your own country, with such modifications as may be necessary or essential owing to the peculiar conditions of our social, economic and political life. I have done so as according to Munro—a standard authority on the subject—the American Constitution is based on “a series of agreements as well as a series of compromises”. I may venture to add, as a result of my long experience of public life for now nearly half a century, that reasonable agreements and judicious compromises are nowhere more called for than in framing a Constitution for a country like India.

In commending to you for your careful consideration and acceptance, with reasonable agreements and judicious compromises, the fundamental principles of the American system, I cannot do better than quote the striking observations on the subject of the greatest British authority, namely Viscount Bryce, who in his monumental work, called “The American Commonwealth”,

writes as follows, putting in a very few lines the substance of the fundamental principles of the American Constitution:—

“Its central or national is not a mere league, for it does not wholly depend on the component communities which we call the States. It is itself a Commonwealth, as well as a union of Commonwealths, because it claims directly the obedience of every citizen, and acts immediately upon him through its courts and executive officers. Still less are the minor communities, the States, mere sub-divisions of the Union, mere creatures of the National Government, like the counties of England, or the Departments of France. They have over their citizens an authority which is their own, and not delegated by the Central Government.”

It may possibly be that in some such scheme, skilfully adapted to our own requirements, a satisfactory solution may be found for a Constitution for an Independent India, which may satisfy the reasonable expectations and legitimate aspirations of almost all the leading political parties in the country. Having quoted the greatest British authority on the great, inherent, merits of the American Constitution, you will, I hope, bear with me a fairly long quotation from the greatest American Jurist, Joseph Story. In concluding his celebrated book, called “Commentaries on the Constitution of the United States”, he made certain striking and inspiring observations which I present to you as worthy of your attention. Said Story:—

“Let the American youth never forget, that they possess (in their Constitution) a noble inheritance, bought by the toils, and sufferings, and blood of their ancestors; and capable, if wisely improved, and faithfully guarded, of transmitting to their latest posterity all the substantial blessings of life, the peaceful enjoyment of liberty, property, religion, and independence. The structure has been erected by architects of consummate skill and fidelity; its foundations are solid; its compartments are beautiful, as well as useful; its arrangements are full of wisdom and order; and its defences are impregnable from without. It has been reared for immortality, if the work of man may justly aspire to such a title. It may, nevertheless, perish in an hour by the folly, or corruption, or negligence of its only keepers, THE PEOPLE. Republics are created—*these are the words which I commend to you for your consideration*—by the virtue, public spirit, and intelligence of the citizens. They fall, when the wise are banished from the public councils, because they dare to be honest, and the profligate are rewarded, because they flatter the people, in order to betray them.”

To quote yet one more leading authority on the almost ideal Constitution of America, James (at one time Solicitor-General of the United States) says in

his highly instructive book, called, "The Constitution of the United States—Yesterday, Today, and Tomorrow"—

"Constitutions, as a governmental panacea, have come and gone; but it can be said of the American Constitution, paraphrasing the noble tribute of Dr. Johnson to the immortal fame of Shakespeare, that the stream of time which has washed away the dissoluble fabric of many other paper constitutions, has left almost untouched its adamantine strength. Excepting the first ten amendments, which were virtually a part of the original charter, only nine others have been adopted in more than one hundred and thirty years. What other form of government has better stood the test of time?"

Hon'ble Members, my prayer is that the Constitution that you are going to plan may similarly be reared for 'immortality', if the work of man may justly aspire to such a title, and it may be a structure of 'adamantine strength', which will outlast and overcome all present and future destructive forces.

Having invited your attention to some aspects of the question of constitution-making in Europe and America, I may now profitably turn to some aspects of the question in our own country. The first definite reference to a Constituent Assembly (though not under those words or under that particular name) I have found in a statement of Mahatma Gandhi, made so far back as 1922. Mahatmaji wrote:—

"Swaraj will not be a free gift of the British Parliament. It will be a declaration of India's full self-expression, expressed through an Act of Parliament. But it will be merely a courteous ratification of the declared wish of the people of India. The ratification will be a treaty to which Britain will be a party. The British Parliament, when the settlement comes, will ratify the wishes of the people of India as expressed through the freely chosen representatives."

The demand made by Mahatma Gandhi for a Constituent Assembly, composed of the "freely chosen representatives" of the people of India, was affirmed, from time to time, by various public bodies and political leaders, but it was not till May, 1934, that the Swaraj Party, which was then formed at Ranchi (in Bihar), formulated a scheme in which the following resolution was included:—

"This Conference claims for India the right of self-determination, and the only method of applying that principle is to convene a Constituent Assembly, representative of all sections of the Indian people, to frame an acceptable Constitution."

The policy embodied in this resolution was approved by the All-India Congress Committee, which met at Patna—the capital of Bihar—a few days later, in May, 1934; and it was thus that the scheme of a Constituent Assembly for framing the Indian Constitution was officially adopted by the Indian National Congress.

The above resolution was confirmed at the session of the Congress held at Faizpur in December, 1936. The confirming resolution declared that—

“The Congress stands for a genuine democratic State in India where political power has been transferred to the people, as a whole, and the Government is under their effective control. Such a State can only come into existence through a Constituent Assembly having the power to determine finally the Constitution of the country.”

In November, 1939 the Congress Working Committee adopted a resolution which declared that—

“Recognition of India’s independence and the right of her people to frame their Constitution through a Constituent Assembly is essential.”

I may add that in the resolutions from which I have quoted above (those adopted at the Congress Working Committee of November, 1939, and at the Faizpur session of the Congress of 1936) it was declared that the Constituent Assembly should be elected on the basis of adult suffrage. Since the Congress gave a lead on the subject in 1934, the idea of a Constituent Assembly had come to prevail largely as an article of faith in almost all the politically-minded classes in the country.

But until the adoption of the resolution on Pakistan, in March 1940, by the Muslim League, that political organization had not favoured the idea of a Constituent Assembly as a proper and suitable method for framing a Constitution for this country. After the adoption of that resolution, however, the attitude of the Muslim League seems to have undergone a change in favour of the idea of a Constituent Assembly—one for the areas claimed by the League for a separate Muslim State, and the other for the rest of India. Thus it may be stated that the idea of a Constituent Assembly, as the only direct means for the framing of a Constitution in this country, came to be entertained and accepted by the two major political parties in 1940, with this difference that while the Congress desired one Constituent Assembly for India, as a whole, the Muslim League wanted two Constituent Assemblies, in accordance with its demand for two separate States in the country. Any way, whether one or two, the idea of a Constituent Assembly being the proper method for the framing of a Constitution had clearly dawned by that time on public consciousness in the country, and it was with reference to that great mental upheaval that Pandit Jawaharlal Nehru declared that “it means a nation on the move, fashioning for itself a new Government of its own making, through their elected representatives”.

It remains to add that the conception of a Constituent Assembly as the most appropriate method for framing the Constitution of India had also found favour with the members of the Sapru Committee in the report of which, issued last year (1945), is formulated a definite scheme for the composition of a Constituent Assembly. We are meeting, however, in this Assembly today, under the scheme propounded by the British Cabinet Mission, which though differing from the suggestions made on the subject by the Congress, the League, and other political organizations, had devised a scheme which, though not by all, had been accepted by many political parties, and also by large sections of the politically-minded classes in the country, but also by those not belonging to any political party, as one well worth giving a trial, with a view to end the political deadlock, which had obtained for now many years past, and frustrated our aims and aspirations. I have no desire to go further into the merits of the British Cabinet Mission's scheme as that might lead me to trespass on controversial ground, which I have no desire to traverse on the present occasion. I am aware that some parts of the scheme, propounded by the British Cabinet Mission, have been the subject of acute controversies between some of the political parties amongst us, and I do not want, therefore, to rush in where even political angels might well fear to tread.

Hon'ble Members, I fear I have trespassed long on your patience, and should now bring my remarks to a close. My only justification for having detained you so long is the uniqueness of this great and memorable occasion in the history of India, the enthusiasm with which this Constituent Assembly had been welcomed by large classes of people in this country, the keen interest which matters relating to it had evoked amongst various communities, and the prospect which it holds out for the final settlement of the problem of all problems, and the issue of all issues, namely, the political independence of India, and her economic freedom. I wish your labours success, and invoke Divine blessings that your proceedings may be marked not only by good sense, public spirit, and genuine patriotism, but also by wisdom, toleration, justice, and fairness to all; and above all with a vision which may restore India to her pristine glory, and give her a place of honour and equality amongst the great nations of the world. Let us not forget to justify the pride of the great

Indian poet, Iqbal, and his faith in the immortality of the destiny of our great, historic and ancient country, when he summed up in these beautiful lines :

**Yunan-o-Misr-o-Roma sab mit gaye jahan se,
Baqi abhi talak hai nam-o-nishan hamara.
Kuch bat hai ke hasti mit-ti nahin hamari,
Sadion raha hai dushman daur-e-zaman hamara.**

It means: "Greece, Egypt, and Rome, have all disappeared from the surface of the Earth; but the name and fame of India, our country, has survived the ravages of time and the cataclysms of ages. Surely, surely, there is an eternal element in us which had frustrated all attempts at our obliteration, in spite of the fact that the heavens themselves had rolled and revolved for centuries, and centuries, in a spirit of hostility and enmity towards us."

I particularly ask of you to bring to your task a broad and catholic vision, for as the Bible justly teaches us—

"Where there is no vision the people perish." (*Applause*).

CONSTITUENT ASSEMBLY OF INDIA

Thursday, the 14th August, 1947

The Fifth Session of the Constituent Assembly of India commenced in the Constitution Hall, New Delhi, at Eleven P.M. Mr. President (The Honourable Dr. Rajendra Prasad) in the Chair.

SINGING OF VANDE MATARAM

Mr. President : The first item on the Agenda is the singing of the first verse of *VANDE MATARAM*. We will listen to it all standing.

*Sbrimati Sucheta Kripalani (U.P. : General) sang the first verse of the
VANDE MATARAM song.**

PRESIDENT'S ADDRESS

Mr. President : ** In this solemn hour of our history when after many years of struggle we are taking over the governance of this country, let us offer our humble thanks to the Almighty Power that shapes the destinies of men and nations and let us recall in grateful remembrance the services and sacrifices of all those men and women, known and unknown, who with smiles on their face walked to the gallows or faced bullets on their chests, who experienced living death in the cells of the Andamans, or spent long years in the prisons of India, who preferred voluntary exile in foreign countries to a life of humiliation in their own, who not only lost wealth and property but cut themselves off from near and dear ones to devote themselves to the achievement of the great objective which we are witnessing today.

Let us also pay our tribute of love and reverence to Mahatma Gandhi who has been our beacon light, our guide and philosopher during the last thirty years or more. He represents that undying spirit in our culture and make-up which has kept India alive through vicissitudes of our history. He it is who pulled us out of the slough of despondency and despair and blowed into us a spirit which enabled us to stand up for justice, to claim our birth-right of freedom and placed in our hands the matchless and unfailing weapon of Truth and Non-violence which without arms and armaments has won for us the invaluable prize of Swaraj at a price

*For the text of the song, see p. 108

**Mr. President then delivered his address in Hindustani

which, when the history of these times comes to be written, will be regarded as incredible for a vast country of our size and for the teeming millions of our population. We were indifferent instruments that he had to work with but he led us with consummate skill, with unwavering determination, with an undying faith in our future, with faith in his weapon and above all with faith in God. Let us prove true to that faith. Let us hope that India will not, in the hour of her triumph, give up or minimise the value of the weapon which served not only to rouse and inspire her in her moments of depression but has also proved its efficacy. India has a great part to play in the shaping and moulding of the future of a war-distracted world. She can play that part not by mimicking, from a distance, what others are doing, or by joining in the race for armaments and competing with others in the discovery of the latest and most effective instruments of destruction. She has now the opportunity, and, let us hope, she will have the courage and strength to place before the world for its acceptance her infallible substitute for war and bloodshed, death and destruction. The world needs it and will welcome it, unless it is prepared to reel back into barbarism from which it boasts to have emerged.

Let us then assure all countries of the world that we propose to stick to our historic tradition to be on terms of friendship and amity with all, that we have no designs against any one and hope that none will have any against us. We have only one ambition and desire, that is, to make our contribution to the building up of freedom for all and peace among mankind.

The country, which was made by God and Nature to be one, stands divided today. Separation from near and dear ones, even from strangers after some association, is always painful. I would be untrue to myself if I did not at this moment confess to a sense of sorrow at this separation. But I wish to send on your behalf and my own our greetings and good wishes for success and the best of luck in the high endeavour of government in which the people of Pakistan, which till today has been a part and parcel of ourselves, will be engaged. To those who feel like us but are on the other side of the border we send a word of cheer. They should not give way to panic but should stick to their hearths and homes, their religion and culture, and cultivate the qualities of courage and forbearance. They have no reason to fear that they will not get protection and just and fair treatment and they should not become victims of doubt and suspicion. They must accept the assurances publicly given and win their rightful place in the polity of the State, where they are placed, by their loyalty.

To all the minorities in India we give the assurance that they will receive fair and just treatment and there will be no discrimination in any form against them. Their religion, their culture and their language are safe and they will enjoy all the rights and privileges of citizenship, and will be expected in their turn to render loyalty to the country in which they live and to its Constitution. To all we give the assurance that it will be our endeavour to end poverty and squalor and its companions, hunger and disease, to abolish distinction and exploitation and to ensure decent conditions of living.

We are embarking on a great task. We hope that in this we shall have the unstinted service and co-operation of all our people and the sympathy and support of all the communities. We shall do our best to deserve it.

After this I propose that we all stand in silence to honour the memory of those who have died in the struggle for freedom in India and elsewhere.

(The Assembly stood in silence for two minutes.)

MOTION RE. PLEDGE BY MEMBERS

Mr. President : Pandit Jawaharlal Nehru will now move the motion which stands in his name.

The Honourable Pandit Jawaharlal Nehru (U.P.: General): *Mr. President, many years ago we had made a tryst with destiny itself. We had taken a pledge, a vow. Now the time has come to redeem it. But perhaps the pledge has not yet been redeemed fully though stages have been reached in that direction. We have almost attained independence. At such a moment it is only appropriate that we take a new pledge, a new vow to serve India and her people. After a few moments, the Assembly will assume the status of a fully free and independent body, and it will represent an independent and free country. Therefore great responsibilities are to devolve upon it. If we do not realise the importance of our responsibilities, then we shall not be able to discharge our duties fully. Hence it becomes essential for us to take this pledge after fully understanding all its implications. The resolution that I am presenting before you relates to that pledge. We have finished one phase, and for that rejoicings are going on today. Our hearts are full of joy and some pride and satisfaction. But we know that there is no rejoicing in the whole of the country. There is enough of grief in our hearts. Not far from Delhi, big cities are ablaze and its heat is reaching us here. Our happiness cannot be complete. At this hour we have to face all these things with a brave heart. We are not to raise a hue and cry and get perturbed. When the reins of Government have come to our hands, we have to do things in the right way. Generally, countries wrest their

*English translation of Hindustani speech

freedom after great bloodshed, tears and toil. Much blood has been spilt in our land, and in a way which is very painful. Notwithstanding that, we have achieved freedom by peaceful methods. We have set a new example before the world. We are free now but along with freedom, come responsibilities and burdens. We have to face them, and overcome them all. Our dream is now about to be translated into reality. The task of wresting freedom and ousting the foreign government was before us till now and that task is now accomplished. But uprooting the foreign domination is not all. Unless and until each and every Indian breathes the air of freedom and his miseries are banished and his hard lot is improved, our task remains unfinished. Therefore a large portion of our task remains to be done, and we shall try to accomplish it. Big problems confront us and at their sight sometimes our heart quivers, but, then again, the thought that in the past we have faced many a big problem and we shall do so again, gives us courage. Shall we be cowed down by these? It is not the individual pride and strength that is comforting, rather it is the pride of the country and the nation, and a confidence in people who have suffered terribly for the cause that makes me feel bold to think we shall successfully shoulder the huge burden of hardships, and find a solution of these problems. After all, India is now free. That is well and good. At a time when we are on the threshold of freedom, we should remember that India does not belong to any one party or group of people or caste. It does not belong to the followers of any particular religion. It is the country of all, of every religion and creed. We have repeatedly defined the type of freedom we desire. In the first resolution, which I moved earlier, it has been said that our freedom is to be shared equally by every Indian. All Indians shall have equal rights, and each one of them is to partake equally in that freedom. We shall proceed like that, and whosoever tries to be aggressive will be checked by us. If anyone is oppressed we shall stand by his side. If we follow this path then we shall be able to solve big problems, but if we become narrowminded we shall not be able to solve them.

I shall read out in English this resolution which I am now putting before you.

Long years ago we made a tryst with destiny, and now the time comes when we shall redeem our pledge, not wholly or in full measure, but very substantially. At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom. A moment comes, which comes but rarely in history, when we step out from the old to the new, when an age ends, and when the soul of a nation, long suppressed, finds utterance. It is fitting that at this solemn moment we take the pledge of dedication to the service of India and her people and to the still larger cause of humanity.

At the dawn of history India started on her unending quest, and trackless centuries are filled with her striving and the grandeur of her successes and her failures. Through good and ill fortune alike she has never lost sight of that quest or forgotten the ideals which gave her strength. We end today a period of ill fortune and India discovers herself again. The achievement we celebrate today is but a step, an opening of opportunity, to the greater triumphs and achievements that await us. Are we brave enough and wise enough to grasp this opportunity and accept the challenge of the future?

Freedom and power bring responsibility. That responsibility rests upon this Assembly, a sovereign body representing the sovereign people of India. Before the birth of freedom we have endured all the pains of labour and our hearts are heavy with the memory of this sorrow. Some of those pains continue even now. Nevertheless the past is over and it is the future that beckons to us now.

That future is not one of ease or resting but of incessant striving so that we might fulfil the pledges we have so often taken and the one we shall take today. The service of India means the service of the millions who suffer. It means the ending of poverty and ignorance and disease and inequality of opportunity. The ambition of the greatest man of our generation has been to wipe every tear from every eye. That may be beyond us but as long as there are tears and suffering, so long our work will not be over.

And so we have to labour and to work and work hard to give reality to our dreams. Those dreams are for India, but they are also for the world, for all the nations and peoples are too closely knit together today for any one of them to imagine that it can live apart. Peace has been said to be indivisible; so is freedom, so is prosperity now, and so also is disaster in this One World that can no longer be split into isolated fragments.

To the people of India, whose representatives we are, we make appeal to join us with faith and confidence in this great adventure. This is no time for petty and destructive criticism, no time for ill-will or blaming others. We have to build the noble mansion of free India where all her children may dwell.

I beg to move, Sir,

“That it be resolved that :

(1) After the last stroke of midnight, all members of the Constituent Assembly present on this occasion, do take the following pledge :

‘At this solemn moment when the people of India, through suffering and sacrifice, have secured freedom, I....., a member of the Constituent Assembly of India, do dedicate myself in all humility to the service of India and her people to the end that this ancient land attain her rightful place in the world and make her full and willing contribution to the promotion of world peace and the welfare of mankind;’

(2) Members who are not present on this occasion do take the pledge (with such verbal changes as the President may prescribe) at the time they next attend a session of the Assembly." (*Loud applause*)

Dr. S. Radhakrishnan (United Provinces : General): Mr. President, Sir, it is not necessary for me to speak at any great length on this Resolution so impressively moved by Pandit Jawaharlal Nehru and seconded by Mr. Khaliqzaman. History and legend will grow round this day. It marks a milestone in the march of our democracy. A significant date it is in the drama of the Indian people who are trying to rebuild and transform themselves. Through a long night of waiting, a night full of fateful portents and silent prayers for the dawn of freedom, of haunting spectres of hunger and death, our sentinels kept watch, the lights were burning bright till at last the dawn is breaking and we greet it with the utmost enthusiasm. When we are passing from a state of serfdom, a state of slavery and subjection to one of freedom and liberation, it is an occasion for rejoicing. That it is being effected in such an orderly and dignified way is a matter for gratification.

Mr. Attlee spoke with visible pride in the House of Commons when he said that this is the first great instance of a strong imperialist power transferring its authority to a subject people whom it ruled with force and firmness for nearly two centuries. For a parallel he cited the British withdrawal from South Africa; but it is nothing comparable in scale and circumstances to the British withdrawal from this country. When we see what the Dutch are doing in Indonesia, when we see how the French are clinging to their possessions, we cannot but admire the political sagacity and courage of the British people. (*Cheers*)

We on our side have also added a chapter to the history of the World. Look at the way in which subject peoples in history won their freedom. Let us also consider the methods by which power was acquired. How did men like Washington, Napoleon, Cromwell, Lenin, Hitler and Mussolini get into power? Look at the methods of blood and steel of terrorism and assassination, of bloodshed and anarchy by which these so called great men of the world came into the possession of power. Here in this land under the leadership of one who will go down in history as perhaps the greatest man of our age (*loud cheers*) we have opposed patience to fury, quietness of spirit to bureaucratic tyranny and are acquiring power through peaceful and civilised methods. What is the result? The transition is being effected with the least bitterness, with utterly no kind of hatred at all. The very fact that we are appointing Lord Mountbatten as the Governor-General of India, shows the spirit of understanding and friendliness in which this whole transition is being effected. (*Cheers*)

You, Mr. President, referred to the sadness in our hearts, to the sorrow which also clouds our rejoicings. May I say that we are in an essential sense responsible for it also though not entirely. From 1600, Englishmen have come to this country—priests and nuns, merchants and adventurers, diplomats and statesmen, missionaries and idealists. They bought and sold, marched and fought, plotted and profited, helped and healed. The greatest among them wished to modernise the country, to raise its intellectual and moral standards, its political status. They wished to regenerate the whole people. But the small among them worked with sinister objectives. They tried to increase the disunion in the country, made the country poorer, weaker and more disunited. They also have had their chance now. The freedom we are attaining is the fulfilment of this dual tendency among British administrators. While India is attaining freedom, she is attaining it in a manner which does not produce joy in the hearts of people or a radiant smile on their faces. Some of those who were charged with the responsibility for the administration of this country, tried to accentuate communal consciousness and bring about the present result which is a logical outcome of the policies adopted by the lesser minds of Britain. But I would never blame them. Were we not victims, ready victims, so to say, of the separatist tendencies foisted on us? Should we not now correct our national faults of character, our domestic despotism, our intolerance which has assumed the different forms of obscurantism, of narrow-mindedness, of superstitious bigotry? Others were able to play on our weakness because we had them. I would like therefore to take this opportunity to call for self-examination, for a searching of hearts. We have gained but we have not gained in the manner we wished to gain and if we have not done so, the responsibility is our own. And when this pledge says that we have to serve our country, we can best serve our country by removing these fundamental defects which have prevented us from gaining the objective of a free and united India. Now that India is divided, it is our duty not to indulge in words of anger. They lead us nowhere. We must avoid passion. Passion and wisdom never go together. The body politic may be divided but the body historic lives on. (*Hear, bear*) Political divisions, physical partitions, are external but the psychological divisions are deeper. The cultural cleavages are the more dangerous. We should not allow them to grow. What we should do is to preserve those cultural ties, those spiritual bonds which knit our peoples together into one organic whole. Patient consideration, slow process of education, adjustment to one another's needs, the discovery of points of view which are common to both the dominions in the matter of communications, defence, foreign affairs, these are the things which should be allowed to grow in the daily business of life and administration. It is by developing such attitudes that we can once again draw near and gain the lost unity of this country. That is the only way to it.

Our opportunities are great but let me warn you that when power outstrips ability, we will fall on evil days. We should develop competence and ability which would help us to utilise the opportunities which are now open to us. From tomorrow morning—from midnight today—we cannot throw the blame on the Britisher. We have to assume the responsibility ourselves for what we do. A free India will be judged by the way in which it will serve the interests of the common man in the matter of food, clothing, shelter and the social services. Unless we destroy corruption in high places, root out every trace of nepotism, love of power, profiteering and blackmarketing which have spoiled the good name of this great country in recent times, we will not be able to raise the standards of efficiency in administration as well as in the production and distribution of the necessary goods of life.

Pandit Jawaharlal Nehru referred to the great contribution which this country will make to the promotion of world peace and the welfare of mankind. The *Chakra*, the Asokan wheel, which is there in the flag embodies for us a great idea. Asoka, the greatest of our emperors,—look at the words of H.G. Wells regarding him “Highnesses, Magnificences, Excellencies, Serenities, Majesties—among them all, he shines alone, a star—Asoka the greatest of all monarchs.” He cut into rock his message for the healing of discords. If there are differences, the way in which you can solve them is by promoting concord. Concord is the only way by which we can get rid of differences. There is no other method which is open to us.

Samavaya eva Sadhub

We are lucky in having for our leader one who is a world citizen, who is essentially a humanist, who possesses a buoyant optimism and robust good sense in spite of the perversity of things and the hostility of human affairs. We see the way in which his Department interfered actively and in a timely manner in the Indonesian dispute. (*Loud applause.*) It shows that if India gains freedom, that freedom will be used not merely for the well-being of India but for *Vishva Kalyana* i.e., world peace, the welfare of mankind.

Our pledge tells us that this ancient land shall attain her rightful and honoured place. We take pride in the antiquity of this land for it is a land which has seen nearly four or five millenniums of history. It has passed through many vicissitudes and at the moment it stands, still responding to the thrill of the same great ideal. Civilisation is a thing of the spirit, it is not something external, solid and mechanical. It is the dream in the people's hearts. It is the inward aspiration of the people's souls. It is the imaginative interpretation of the human life and the perception of the mystery of human existence. That is what civilisation actually stands for. We should bear in mind these great ideals which have been transmitted to us across the ages. In this great time of our history we should bear ourselves humbly before

God, brace ourselves to this supreme task which is confronting us and conduct ourselves in a manner that is worthy of the ageless spirit of India. If we do so, I have no doubt that the future of this land will be as great as its once glorious past.

Sarvabbut disabamatmanam
Sarvabbutani catmani
Sampasyam atmayajivai
Saarwlyam adbigachati

Swarajya is the development of that kind of tolerant attitude which sees in brother man the face Divine. Intolerance has been the greatest enemy of our progress. Tolerance of one another's views, thoughts and beliefs is the only remedy that we can possibly adopt. Therefore, I support with very great pleasure this Resolution which asks us as the representatives of the people of India to conduct ourselves in all humility in the service of our country and the world. 'Humility' here means that we are by ourselves very insignificant. Our efforts by themselves cannot carry us to a long distance. We should make ourselves dependent on that other than ourselves which makes for righteousness. The note of humility means the unimportance of the individual and the supreme importance of the unfolding purpose which we are called upon to serve. So in a mood of humility, in a spirit of dedication, let us take this pledge as soon as the clock strikes 12.

Mr. President : I will now put the Resolution to the vote. I shall read it first :—

“Resolved that—

- (1) After the last stroke of midnight, all members of the Constituent Assembly present on the occasion do take the following pledge :—

‘At this solemn moment when the people of India, through suffering and sacrifice, have secured freedom I,....., a member of the Constituent Assembly of India, do dedicate myself in all humility to the service of India and her people to the end that this ancient land attain her rightful and honoured place in the world and make her full and willing contribution to the promotion of world peace and the welfare of mankind;

- (2) Members who are not present on this occasion do take the pledge (with such verbal changes as the President may prescribe) at the time they next attend a session of the Assembly’.”

Shri H.V. Kamath (C.P. & Berar : General) : Mr. President, there are two amendments standing in my name, but since you have invoked the holy name of God in your address and incorporated the spirit of it in the pledge by modifying

it slightly in the form in which it has come before us, and above all, since the zero hour is fast approaching, I do not propose to move my amendments.

Mr. President : Thank you. I will put the Resolution to vote. Members will please express their assent by saying 'Aye'.

The motion was adopted.

Mr. President : We have just resolved that as the clock strikes 12, we shall take the pledge. In taking the pledge, I shall read it out sentence by sentence in our own language first and I shall expect those members who know that language to repeat it sentence by sentence. Then I will read it out also sentence by sentence in English and I shall expect the members to repeat it sentence by sentence. Members will please stand when the pledge is taken, but other visitors will remain seated. It is just half a minute to 12. I am expecting the clock to strike 12.

As the clock struck twelve (mid-night), Mr. President and all the Members stood up and took the pledge as below. Mr. President reading it out sentence by sentence and the Members repeating it after him in Hindustani and in English.

"At this solemn moment when the people of India, through suffering and sacrifice, have secured freedom, I,, a member of the Constituent Assembly of India, do dedicate myself in all humility to the service of India and her people to the end that this ancient land attain her rightful and honoured place in the world and make her full and willing contribution to the promotion of world peace and the welfare of mankind."

INTIMATION TO THE VICEROY ABOUT THE ASSUMPTION OF POWER BY THE CONSTITUENT ASSEMBLY AND THE ASSEMBLY'S ENDORSEMENT OF LORD MOUNTBATTEN'S APPOINTMENT AS GOVERNOR-GENERAL OF INDIA

Mr. President : I propose that it should be intimated to the Viceroy that—

- (1) the Constituent Assembly of India has assumed power for the governance of India, and
- (2) the Constituent Assembly of India has endorsed the recommendation that Lord Mountbatten be Governor-General of India from the 15th August 1947

and that this message be conveyed forthwith to Lord Mountbatten by the President and Pandit Jawaharlal Nehru. (*Cbeers*) I take it the House approves it.

The motion was adopted.

PRESENTATION OF THE NATIONAL FLAG

Mr. President : Shrimati Hansa Mehta will now present the National Flag on behalf of the women of India. (*Cheers*)

Mrs. Hansa Mehta (Bombay : General) : Mr. President, Sir, in the absence of Shrimati Sarojini Naidu, it is my proud privilege, on behalf of the women of India, to present this flag to the Nation through you.

I have a list here of nearly a hundred prominent women of all communities who have expressed a desire to associate themselves with this ceremonial. There are hundreds and hundreds of other women who would equally like to participate in this function. It is in the fitness of things that this first flag that will fly over this august House should be a gift from the women of India. (*Cheers*) We have donned the saffron colour, we have fought, suffered and sacrificed in the cause of our country's freedom. We have today attained our goal. In presenting this symbol of our freedom, we once more offer our services to the nation. We pledge ourselves to work for a great India, for building up a nation that will be a nation among nations. We pledge ourselves for working for a greater cause, to maintain the freedom that we have attained. We have great traditions to maintain, traditions that made India so great in the past. It is the duty of every man and woman to preserve these traditions so that India may hold her spiritual supremacy over the world. May this flag be the symbol of that great India and may it ever fly high and serve as a light in the gloom that threatens the world today. May it bring happiness to those who live under its protecting care. (*Cheers*).

MEMBERS OF THE FLAG PRESENTATION COMMITTEE

1. Sarojini Naidu
2. Amrit Kaur
3. Vijayalakshmi Pandit
4. Hansa Mehta
5. Ammu Swaminathan
6. Sucheta Kripalani
7. Kudsia Aizaz Rasool
8. Durga Bai
9. Renuka Ray
10. Dakshayini Velayudan
11. Purnima Banerji

12. Kamala Chaudhri
13. Malati Chaudhary
14. Abala Bose
15. Lakshmi Bai Rajwade
16. Maitreyi Bose
17. Rameshwari Nehru
18. Sherifa Hamid Ali
19. Goshi Ben Captain
20. Dhanavanti Rama Rao
21. Anasuya Bai Kale
22. Premleela Thakersy
23. Mani Ben Patel .
24. Sarla Devi Sarabhai
25. Avantikabai Gokhaley
26. Sakine Lukmani
27. Jankiben Bajaj
28. Muthulakshmi Reddi
29. Charulata Mukerji
30. Rukmani Lakshmani Lakshmipathi
31. Mithan Tata Lam
32. Hannah Sen
33. Aswah Hussain
34. Radhabai Subbroyan
35. Tarabhai Premchand
36. Jethi Sipahimlani
37. Ambuja Amma
38. Janaki Amma
39. Leelavathi Munshi
40. Lavanya Prabha Dutt
41. Sophia Wadia
42. Mrinalini Chattopadhyay

43. Sarada Ben Mehta
44. Zarina Currimbhoy
45. Prem Captain
46. Hemaprabha Das Gupta
47. Premavati Thappar
48. Zora Ansari
49. Jaishri Raiji
50. Kitty Shiva Rao
51. Shanoodevi
52. Violet Alva
53. Susheela Ilukusing
54. Bina Das
55. Uma Nehru
56. Iravati Karve
57. Raiban Tyabji
58. Asha Aryanayakam
59. Mridula Sarabhai
60. Raksha Saran
61. Margaret Cousins
62. Kamaladevi
63. Lakshmi Menon
64. Lavanya Chanda
65. Ayasha Ahmed
66. Krishna Hutheesingh
67. Rajan Nehru
68. Indira Gandhi
69. Suraya Tyabji
70. Memubai
71. Padmaja Naidu
72. Kiran Bose
73. Kusum Sayani
74. Lajjavati Devi

SINGING OF NATIONAL SONGS

Mr. President : The next item is the singing of the first few lines of *Sare Jaban se Achcbba Hindustan Hamara** and the first verse of *Jana Gana Mana Adbinayaka Jaya He.***

(Sbrimati Sucheta Kripalani sang the first few lines of Sare Jaban Se Achcbba Hindustan Hamara and the first verse of Jana Gana Mana Adbinayaka Jaya He.)

Mr. President : The House will now adjourn for a few hours, till Ten of the Clock.

*The Assembly then adjourned till Ten of the Clock
on Friday, the 15th August, 1947.*

*For text, see p. 109

**For text, see p. 110

Let us gratefully acknowledge that while our achievement is in no small measure due to our own sufferings and sacrifices, it is also the result of world forces and events and last though not least it is the consummation and fulfilment of the historic traditions and democratic ideals of the British race whose farsighted leaders and statesmen saw the vision and gave the pledges which are being redeemed today. We are happy to have in our midst as a representative of that race, Viscount Mountbatten of Burma and his consort who have worked hard and played such an important part in bringing this about during the closing scenes of this drama. The period of domination by Britain over India ends today and our relationship with Britain is henceforward going to rest on a basis of equality, of mutual goodwill and mutual profit.

It is undoubtedly a day of rejoicing. But there is only one thought which mars and detracts from the fullness of this happy event. India, which was made by God and Nature to be one, which culture and tradition and history of millenniums have made one, is divided today and many there are on the other side of the boundary who would much rather be on this side. To them we send a word of cheer and assurance and ask them not to give way to panic or despair but to live with faith and courage in peace with their neighbours and fulfil the duties of loyal citizenship and thus win their rightful place. We send our greetings to the new Dominion which is being established today there and wish it the best luck in its great work of governing that region and making all its citizens happy and prosperous. We feel assured that they all will be treated fairly and justly, without any distinction or discrimination. Let us hope and pray that the day will come when even those who have insisted upon and brought about this division will realise India's essential oneness and we shall be united once again. We must realise however that this can be brought about not by force but by large heartedness and co-operation and by so managing our affairs on this side as to attract those who have parted. It may appear to be a dream but it is no more fantastic a dream than that of those who wanted a division and may well be realised even sooner than we dare hope for today.

More than a day of rejoicing it is a day of dedication for all of us to build the India of our dreams. Let us turn our eyes away from the past and fix our gaze on the future. We have no quarrel with other nations and countries and let us hope no one will pick a quarrel with us. By history and tradition we are a peaceful people and India wants to be at peace with the world. India's Empire outside her own borders has been of a different kind from all other Empires. India's conquests have been the conquests of spirit which did not impose heavy chains of slavery, whether of iron or of gold, on others but tied other lands and other peoples to her with the more enduring ties of golden silk-of culture and civilisation, of religion and knowledge (*gyan*). We shall follow that same tradition and shall have no ambition save that of contributing our little mite to the building of peace and freedom in a war-distracted world by holding aloft the banner under which we have marched to victory and placing in a practical manner in the hands of the world the great weapon of non-violence which has achieved this unique result. India has a great part to play. There is something in her life and culture which has enabled her to survive the onslaughts of time and today we witness a new birth full of promise, if only we prove ourselves true to our ideals.

Let us resolve to create conditions in this country when every individual will be free and provided with the wherewithal to develop and rise to his fullest stature, when poverty and squalor and ignorance and ill-health will have vanished, when the distinction between high and low, between rich and poor, will have disappeared, when religion will not only be professed and preached and practised freely but will have become a cementing force for binding man to man and not serve as a disturbing and disrupting force dividing and separating, when untouchability will have been forgotten like an unpleasant night dream, when exploitation of man by man will have ceased, when facilities and special arrangements will have been provided for the *adimjatis* of India and for all others who are backward, to enable them to catch up to others and when this land will have not only enough food to feed its teeming millions but will once again have become a land flowing with rivers of milk, when men and women will be laughing and working for all they are worth in fields and factories, when every cottage and hamlet will be humming with the sweet music of village handicrafts and maids will be busy with them and singing to their tune—when the sun and the moon will be shining on happy homes and loving faces.

To bring all this about we need all the idealism and sacrifice, all the intelligence and diligence, all the determination and the power of organisation that we can muster. We have many parties and groups with differing ideals and ideologies. They are all trying to convert the country to their own ideologies and to mould the Constitution and the administration to suit their own view point. While they have the right to do so, the country and the nation have the right to demand loyalty from them. All must realise that what is needed most today is a great constructive effort—not strife, hard solid work—not argumentation, and let us hope that all will be prepared to make their contribution. We want the peasants to grow more food, we want the workers to produce more goods, we want our industrialists to use their intelligence, tact and resourcefulness for the common good. To all we must assure conditions of decent and healthy life and opportunities for self-improvement and self-realisation.

Not only have the people to dedicate themselves to this great task that lies ahead but those who have so far been playing the role of rulers and regulators of the lives of our men and women have to assume the role of servants. Our army has won undying glory in distant lands for its bravery and great fighting qualities. Our soldiers, sailors and airmen have to realise that they now form a national army on whom devolves the duty not only of defending the freedom which we have won but also to help in a constructive way in building up a new life. There is no place in the armed forces of our country which is not open to our people, and what is more they are required to take the highest places as soon as they can so that they may take full charge of our defences. Our public servants in various

departments of Government have to shed their role as rulers and have to become true servants of the people that their compeers are in all free countries. The people and the Government on their side have to give them their trust and assure them conditions of service in keeping with the lives of the people in whose midst they have to live and serve.

We welcome the Indian States which have acceded to India and to their people we offer our hands of comradeship. To the princes and the rulers of the States we say that we have no designs against them. We trust they will follow the example of the King of England and become constitutional rulers. They would do well to take as their model the British monarchical system which has stood the shock of two successive World Wars when so many other monarchies in Europe have toppled down.

To Indians settled abroad in British Colonies and elsewhere we send our good wishes and assurance of our abiding interest in their welfare. To our minorities we give the assurance that they will receive fair and just treatment and their rights will be respected and protected.

One of the great tasks which we have in hand is to complete the Constitution under which not only will freedom and liberty be assured to each and all but which will enable us to achieve and attain and enjoy its fulfilment and its fruits. We must accomplish this task as soon as possible so that we may begin to live and work under a Constitution of our own making, of which we may all be proud, and which it may become our pride and privilege to defend and to preserve to the lasting good of our people and for the service of mankind. In framing that Constitution we shall naturally draw upon the experience and knowledge of other countries and nations no less than on our own traditions and surroundings and may have at times to disregard the lines drawn by recent history and lay down new boundary lines not only of Provinces but also of distribution of powers and functions. Our ideal is to have a Constitution that will enable the people's will to be expressed and enforced and that will not only secure liberty to the individual but also reconcile and make that liberty subservient to the common good.

We have up to now been taking a pledge to achieve freedom and to undergo all sufferings and sacrifices for it. Time has come when we have to take a pledge of another kind. Let no one imagine that the time for work and sacrifice is gone and the time for enjoying the fruits thereof has come. Let us realise that the demand on our enthusiasm and capacity for unselfish work in the future will be as great as, if not greater than, what it has ever been before. We have, therefore, to dedicate ourselves once again to the great cause that beckons us. The task is great, the times are propitious. Let us pray that we may have the strength, the wisdom and the courage to fulfil it.

HOISTING OF THE NATIONAL FLAG

Mr. President: His Excellency will now give the signal for hoisting the Flag.

(The sound of a gun being fired was heard.)

H.E. The Governor-General: That is the signal for hoisting the flag over this roof.

Mr. President: The House now stands adjourned till 10 of the clock on the 20th.

Honourable Members: *Mabatma Gandbi ki jai.*

Mabatma Gandbi ki jai.

Pandit Jawabarlal Nebru ki jai.

Lord Mountbatten ki jai.

*The Assembly then adjourned till 10 of the Clock
on Wednesday, the 20th August, 1947.*

CONSTITUENT ASSEMBLY OF INDIA

Friday, the 25th November, 1949

The Constituent Assembly of India met in the Constitution Hall, New Delhi, at Ten of the Clock, Mr. President (The Honourable Dr. Rajendra Prasad) in the Chair.

GOVERNMENT OF INDIA ACT (AMENDMENT) BILL

Mr. President : The first thing today is to take up the Bill of which notice has been given by Dr. Ambedkar.

The Honourable Dr. B. R. Ambedkar (Bombay : General) : Sir, I move for leave to introduce a Bill further to amend the Government of India Act, 1935.

Mr. President : The question is:

“That leave be given to introduce a Bill further to amend the Government of India Act, 1935.”

The motion was adopted.

The Honourable Dr. B. R. Ambedkar : Sir, I introduce the Bill.

Mr. President : The Bill is introduced.

The Honourable Dr. B. R. Ambedkar : Sir, I move:

“That the Bill further to amend the Government of India Act, 1935, be taken into consideration by the Assembly at once.”

Mr. President : Motion moved:

“That the Bill further to amend the Government of India Act, 1935, be taken into consideration by the Assembly at once.”

The Constituent Assembly then discussed the amendments moved by some of the members.

Mr. President: The question is:

“That the Bill further to amend the Government of India Act, 1935, as settled by the Assembly, be passed.”

The motion was adopted.

DRAFT CONSTITUTION—(Contd.)

Mr. President: Then we take up the discussion of the Draft Constitution.

The Honourable Dr. B. R. Ambedkar : Sir, looking back on the work of the Constituent Assembly, it will now be two years, eleven months and seventeen days since it first met on the 9th of December 1946. During this period, the Constituent Assembly has altogether held eleven sessions. Out of these eleven sessions, the first six were spent in passing the Objectives Resolution and the consideration of the Reports of Committees on Fundamental Rights, on Union Constitution, on Union Powers, on Provincial Constitution, on Minorities and on the Scheduled Areas and Scheduled Tribes. The seventh, eighth, ninth, tenth and the eleventh sessions were devoted to the consideration of the Draft Constitution. These eleven sessions of the Constituent Assembly have consumed 165 days. Out of these, the Assembly spent 114 days for the consideration of the Draft Constitution.

Coming to the Drafting Committee, it was elected by the Constituent Assembly on 29th August, 1947. It held its first meeting on 30th August. Since August 30th, it sat for 141 days during which it was engaged in the preparation of the Draft Constitution. The Draft Constitution, as prepared by the Constitutional Adviser as a text for the Drafting Committee to work upon, consisted of 243 articles and 13 Schedules. The first Draft Constitution as presented by the Drafting Committee to the Constituent Assembly contained 315 articles and 8 Schedules. At the end of the consideration stage, the number of articles in the Draft Constitution increased to 386. In its final form, the Draft Constitution contains 395 articles and 8 Schedules. The total number of amendments to the Draft Constitution tabled was approximately 7,635. Of them, the total number of amendments actually moved in the House were 2,473.

I mention these facts because at one stage it was being said that the Assembly had taken too long a time to finish its work, that it was going on leisurely and wasting public money. It was said to be a case of Nero fiddling while Rome was burning. Is there any justification for this complaint? Let us note the time consumed by Constituent Assemblies in other countries appointed for framing their Constitutions. To take a few illustrations, the American Convention met on May 25th, 1787 and completed its work on September 17th, 1787, *i.e.*, within four months. The Constitutional Convention of Canada met on the 10th October, 1864 and the Constitution was passed into law in March 1867 involving a period of two years and five months. The Australian Constitutional Convention assembled in March 1891 and the Constitution became law on the 9th July, 1900, consuming

a period of nine years. The South African Convention met in October 1908 and the Constitution became law on the 20th September, 1909 involving one year's labour. It is true that we have taken more time than what the American or South African Conventions did. But we have not taken more time than the Canadian Convention and much less than the Australian Convention. In making comparisons on the basis of time consumed, two things must be remembered. One is that the Constitutions of America, Canada, South Africa and Australia are much smaller than ours. Our Constitution, as I said, contains 395 articles while the American has just seven articles, the first four of which are divided into sections which total up to 21; the Canadian has 147, Australian 128 and South African 153 sections. The second thing to be remembered is that the makers of the Constitutions of America, Canada, Australia and South Africa did not have to face the problem of amendments. They were passed as moved. On the other hand, this Constituent Assembly had to deal with as many as 2,473 amendments. Having regard to these facts, the charge of dilatoriness seems to me quite unfounded and this Assembly may well congratulate itself for having accomplished so formidable a task in so short a time.

Turning to the quality of the work done by the Drafting Committee, Mr. Naziruddin Ahmed felt it his duty to condemn it outright. In his opinion, the work done by the Drafting Committee is not only not worthy of commendation, but is positively below par. Everybody has a right to have his opinion about the work done by the Drafting Committee and Mr. Naziruddin is welcome to have his own.

... Mr. Naziruddin Ahmed has coined a new name for the Drafting Committee, evidently to show his contempt for it. He calls it a Drifting Committee. Mr. Naziruddin must no doubt be pleased with his wit. But he evidently does not know that there is a difference between drift without mastery and drift with mastery. If the Drafting Committee was drifting, it was never without mastery over the situation. It was not merely angling with the off chance of catching a fish. It was searching in known waters to find the fish it was after. To be in search of something better is not the same as drifting. Although Mr. Naziruddin Ahmed did not mean it as a compliment to the Drafting Committee, I take it as a compliment to the Drafting Committee. The Drafting Committee would have been guilty of gross dereliction of duty and of a false sense of dignity if it had not shown the honesty and the courage to withdraw the amendments which it thought faulty and substitute what it thought was better. If it is a mistake, I am glad the Drafting Committee did not fight shy of admitting such mistakes and coming forward to correct them.

I am glad to find that with the exception of a solitary member, there is a general consensus of appreciation from the members of the Constituent Assembly of the work done by the Drafting Committee. I am sure the Drafting Committee feels happy to find this spontaneous recognition of its labours expressed in such generous terms. As to the compliments that have been showered upon me both by the members of the Assembly as well as by my colleagues of the Drafting Committee, I feel so overwhelmed that I cannot find adequate words to express fully my gratitude to them. I came into the Constituent Assembly with no greater aspiration than to safeguard the interests of the Scheduled Castes. I had not the remotest idea that I would be called upon to undertake more responsible functions. I was, therefore, greatly surprised when the Assembly elected me to the Drafting Committee. I was more than surprised when the Drafting Committee elected me to be its Chairman. There were in the Drafting Committee men bigger, better and more competent than myself such as my friend Sir Alladi Krishnaswami Ayyar. I am grateful to the Constituent Assembly and the Drafting Committee for reposing in me so much trust and confidence and to have chosen me as their instrument and given me this opportunity of serving the country. (*Cbeers.*)

The credit that is given to me does not really belong to me. It belongs partly to Sir B. N. Rau, the Constitutional Adviser to the Constituent Assembly who prepared a rough draft of the Constitution for the consideration of the Drafting Committee. A part of the credit must go to the members of the Drafting Committee who, as I have said, have sat for 141 days and without whose ingenuity to devise new formulae and capacity to tolerate and to accommodate different points of view, the task of framing the Constitution could not have come to so successful a conclusion. Much greater share of the credit must go to Mr. S. N. Mukherjee, the Chief Draftsman of the Constitution. His ability to put the most intricate proposals in the simplest and clearest legal form can rarely be equalled, nor his capacity for hard work. He has been an acquisition to the Assembly. Without his help, this Assembly would have taken many more years to finalise the Constitution. I must not omit to mention the members of the staff working under Mr. Mukherjee. For, I know how hard they worked and how long they have toiled sometimes even beyond midnight. I want to thank them all for their effort and their co-operation. (*Cbeers.*)

The task of the Drafting Committee would have been a very difficult one if this Constituent Assembly has been merely a motely crowd, a tasseled pavement without cement, a black stone here and a white stone there in which each member or each group was a law unto itself. There would have been nothing but chaos. This possibility of chaos was reduced to nil by the existence of the Congress Party inside the Assembly which brought into its proceedings a sense of order and discipline. It is because of the discipline of the Congress Party that the Drafting Committee was able to pilot the Constitution in the Assembly with the sure knowledge as to the fate of each article and each amendment. The Congress Party is, therefore, entitled to all the credit for the smooth sailing of the Draft Constitution in the Assembly.

The proceedings of this Constituent Assembly would have been very dull if all members had yielded to the rule of party discipline. Party discipline, in all its rigidity, would have converted this Assembly into a gathering of 'yes' men. Fortunately, there were rebels. They were Mr. Kamath, Dr. P.S. Deshmukh, Mr. Sidhva, Prof. Sexena and Pandit Thakur Das Bhargava. Along with them, I must mention Prof. K. T. Shah and Pandit Hirday Nath Kunzru. The points they raised were mostly ideological. That I was not prepared to accept their suggestions, does not diminish the value of their suggestions nor lessen the service they have rendered to the Assembly in enlivening its proceedings. I am grateful to them. But for them, I would not have had the opportunity which I got for expounding the principles underlying the Constitution which was more important than the mere mechanical work of passing the Constitution.

Finally, I must thank you, Mr. President, for the way in which you have conducted the proceedings of this Assembly. The courtesy and the consideration which you have shown to the members of the Assembly can never be forgotten by those who have taken part in the proceedings of this Assembly. There were occasions when the amendments of the Drafting Committee were sought to be barred on grounds purely technical in their nature. Those were very anxious moments for me. I am, therefore, specially grateful to you for not permitting legalism to defeat the work of Constitution making.

As much defence as could be offered to the Constitution has been offered by my friends Sir Alladi Krishnaswami Ayyar and Mr. T. T. Krishnamachari. I shall not, therefore, enter into the merits of the Constitution. Because, I feel, however good a Constitution may be, it is sure to turn out bad because those who are called to work it, happen to be a bad lot. However bad a Constitution may be, it may turn out to be good if those who are called to work it, happen to be a good lot. The working of a Constitution does not depend wholly upon the nature of the Constitution. The Constitution can provide only the organs of State such as the Legislature, the Executive and the Judiciary. The factors on which the working of those organs of the State depend are the people and the political parties they will set up as their instruments to carry out their wishes and their politics. Who can say how the people of India and their parties will behave? Will they uphold constitutional methods of achieving their purposes or will they prefer revolutionary methods of achieving them? If they adopt the revolutionary methods, however good the Constitution may be, it requires no prophet to say that it will fail. It is, therefore, futile to pass any judgement upon the Constitution without reference to the part which the people and their parties are likely to play.

The condemnation of the Constitution largely comes from two quarters, the Communist Party and the Socialist Party. Why do they condemn the Constitution? Is it because it is really a bad Constitution? I venture to say 'no'. The Communist Party wants a Constitution based upon the principle of the Dictatorship of the Proletariat. They condemn the Constitution because it is based upon parliamentary democracy. The Socialists want two things. The first thing they want is that if they come in power, the Constitution must give them the freedom to nationalize or socialize all private property without payment of compensation. The second thing that the Socialists want is that the Fundamental Rights mentioned in the Constitution must be absolute and without any limitations so that if their Party fails to come into power, they would have the unfettered freedom not merely to criticize, but also to overthrow the State.

These are the main grounds on which the Constitution is being condemned. I do not say that the principle of parliamentary democracy is the only ideal form of political democracy. I do not say that the principle of no acquisition of private property without compensation is so sacrosanct that there can be no departure from it. I do not say that Fundamental Rights can never be absolute and the limitations set upon them can never be lifted. What I do say is that the principles embodied in the Constitution are the views of the present generation or if you think this to be an over-statement, I say they are the views of the members of the Constituent Assembly. Why blame the Drafting Committee for embodying them in the Constitution? I say why blame even the members of the Constituent Assembly? Jefferson, the great American statesman who played so great a part in the making of the American Constitution, has expressed some very weighty views which makers of Constitution can never afford to ignore. In one place, he has said: "We may consider each generation as a distinct nation, with a right, by the will of the majority, to bind themselves, but none to bind the succeeding generation, more than the inhabitants of another country". In another place, he had said:

The idea that institutions established for the use of the nation cannot be touched or modified, even to make them answer their end, because of rights gratuitously supposed in those employed to manage them in the trust for the public, may perhaps be a salutary provision against the abuses of a monarch, but is most absurd against the nation itself. Yet our lawyers and priests generally inculcate this doctrine, and suppose that preceding generations held the earth more freely than we do; had a right to impose laws on us, unalterable by ourselves, and that we, in the like manner, can make laws and impose burdens on future generations, which they will have no right to alter; in fine, that the earth belongs to the dead and not the living.

I admit that what Jefferson has said is not merely true, but is absolutely true. There can be no question about it. Had the Constituent Assembly departed from this principle laid down by Jefferson, it would certainly be liable to blame, even to condemnation. But I ask, has it? Quite the contrary. One has only to examine the provision relating to the amendment of the Constitution. The Assembly has not only refrained from putting a seal of finality and infallibility upon this Constitution by denying to the people the right to amend the Constitution as in Canada or by making the amendment of the Constitution subject to the fulfilment of extraordinary terms and conditions as in America or Australia, but has provided a most facile procedure for amending the Constitution. I challenge any of the critics of the Constitution to prove that any Constituent Assembly anywhere in the world has, in the circumstances in which this country finds itself, provided such a facile procedure for the amendment of the Constitution. If those who are dissatisfied with the Constitution have only to obtain a $2/3$ majority and if they cannot obtain even a two-thirds majority in the Parliament elected on adult franchise in their favour, their dissatisfaction with the Constitution cannot be deemed to be shared by the general public.

There is only one point of Constitutional import to which I propose to make a reference. A serious complaint is made on the ground that there is too much of centralization and that the States have been reduced to Municipalities. It is clear that this view is not only an exaggeration, but is also founded on a misunderstanding of what exactly the Constitution contrives to do. As to the relation between the Centre and the States, it is necessary to bear in mind the fundamental principle on which it rests. The basic principle of Federalism is that the legislative and executive authority is partitioned between the Centre and the States not by any law to be made by the Centre but by the Constitution itself. This is what the Constitution does. The States, under our Constitution, are in no way dependent upon the Centre for their legislative or executive authority. The Centre and the States are co-equal in this matter. It is difficult to see how such a Constitution can be called centralism. It may be that the Constitution assigns to the Centre too large a field for the operation of its legislative and executive authority than is to be found in any other Federal Constitution. It may be that the residuary powers are given to the Centre and not to the States. But these features do not form the essence of federalism. The chief mark of federalism, as I said, lies in the partition of the legislative and executive authority between the Centre and the Units by the Constitution. This is the principle embodied in our Constitution. There can be no mistake about it. It is, therefore, wrong to say that the States have been placed under the Centre. The Centre cannot by its own will alter the boundary of that partition. Nor can the Judiciary. For, as has been well said:

Courts may modify, they cannot replace. They can revise earlier interpretation as new arguments, new points of view are presented, they can shift the dividing line in marginal cases, but there are barriers they cannot pass, definite assignments of power they cannot reallocate. They can give a broadening construction of existing powers, but they cannot assign to one authority powers explicitly granted to another.

The first charge of centralisation defeating federalism must, therefore, fall.

The second charge is that the Centre has been given the power to override the States. This charge must be admitted. But before condemning the Constitution for containing such overriding powers, certain considerations must be borne in mind. The first is that these overriding powers do not form the normal feature of the Constitution. Their use and operation are expressly confined to emergencies only. The second consideration is: could we avoid giving overriding powers to the Centre when an emergency has arisen? Those who do not admit the justification for such overriding powers to the Centre even in an emergency do not seem to have a clear idea of the problem which lies at the root of the matter. The problem is so clearly set out by a writer in that well-known magazine *The Round Table* in its issue of December 1935 that I offer no apology for quoting the following extract from it. Says the writer:

Political systems are a complex of rights and duties resting ultimately on the question, to whom, or to what authority, does the citizen owe allegiance. In normal affairs the question is not present, for the law works smoothly, and a man goes about his business obeying one authority in this set of matters and another authority in that. But in a moment of crisis, a conflict of claims may arise, and it is then apparent that ultimate allegiance cannot be divided. The issue of allegiance cannot be determined in the last resort by a juristic interpretation of statutes. The law must conform to the facts or so much the worse for the law. When all formalism is stripped away, the bare question is, what authority commands the residual loyalty of the citizen. Is it the Centre or the Constituent State?

The solution of this problem depends upon one's answer to this question which is the crux of the problem. There can be no doubt that in the opinion of the vast majority of the people, the residual loyalty of the citizen in an emergency must be to the Centre and not to the Constituent States. For it is only the Centre which can work for a common end and for the general interests of the country as a whole. Herein lies the justification for giving to the Centre certain overriding powers to be used in an emergency. And after all what is the obligation imposed upon the Constituent States by these emergency powers? No more than this—that in an emergency, they should take into consideration alongside their own local interests, the opinions and interests of the nation as a whole. Only those who have not understood the problem, can complain against it.

Here I could have ended. But my mind is so full of the future of our country that I feel I ought to take this occasion to give expression to some of my reflections thereon. On 26th January 1950, India will be an independent country (*Cheers*). What would happen to her independence? Will she maintain her independence or will she lose it again? This is the first thought that comes to my mind. It is not that India was never an independent country. The point is that she once lost the independence she had. Will she lose it a second time? It is this thought which makes me most anxious for the future. What perturbs me greatly is the fact that not only India has once before lost her independence, but she lost it by the infidelity and treachery of some of her own people.

... Will history repeat itself? It is this thought which fills me with anxiety. This anxiety is deepened by the realization of the fact that in addition to our old enemies in the form of castes and creeds we are going to have many political parties with diverse and opposing political creeds. Will Indians place the country above their creed or will they place creed above country? I do not know. But this much is certain that if the parties place creed above country, our independence will be put in jeopardy a second time and probably be lost for ever. This eventuality we must all resolutely guard against. We must be determined to defend our independence with the last drop of our blood. (*Cheers*.)

On the 26th of January 1950, India would be a democratic country in the sense that India from that day would have a government of the people, by the people and for the people. The same thought comes to my mind. What would happen to her democratic Constitution? Will she be able to maintain it or will she lose it again? This is the second thought that comes to my mind and makes me as anxious as the first.

It is not that India did not know what is democracy. There was a time when India was studded with republics, and even where there were monarchies, they were either elected or limited. They were never absolute. It is not that India did not know Parliaments or parliamentary procedure. A study of the Buddhist *Bhikshu Sanghas* discloses that not only there were Parliaments—for the *Sanghas* were nothing but Parliaments—but the *Sanghas* knew and observed all the rules of parliamentary procedure known to modern times. They had rules regarding seating arrangements, rules regarding Motions, Resolutions, Quorum, Whip, Counting of Votes, Voting by Ballot, Censure Motions, Regularization, *Res Judicata*, etc. Although these rules of parliamentary procedure were applied by the Buddha to the meetings of the *Sanghas*, he must have borrowed them from the rules of the Political Assemblies functioning in the country in his time.

This democratic system India lost. Will she lose it a second time? I do not know. But it is quite possible in a country like India—where democracy from its long disuse must be regarded as something quite new—there is danger of democracy giving place to dictatorship. It is quite possible for this new-born democracy to retain its form but give place to dictatorship in fact. If there is a landslide, the danger of the second possibility becoming actuality is much greater.

If we wish to maintain democracy not merely in form, but also in fact, what must we do? The first thing in my judgment we must do is to hold fast to constitutional methods of achieving our social and economic objectives. It means we must abandon the bloody methods of revolution. It means that we must abandon the method of civil disobedience, non-cooperation and *Satyagraha*. When there was no way left for constitutional methods for achieving economic and social objectives, there was a great deal of justification for unconstitutional methods. But where constitutional methods are open, there can be no justification for these unconstitutional methods. These methods are nothing but the Grammar of Anarchy and the sooner they are abandoned, the better for us.

The second thing we must do is to observe the caution which John Stuart Mill has given to all who are interested in the maintenance of democracy, namely, not "to lay their liberties at the feet of even a great man, or to trust him with powers which enable him to subvert their institutions". There is nothing wrong in being grateful to great men who have rendered life-long services to the country. But there are limits to gratefulness. As has been well said by the Irish patriot Daniel O'Connell, no man can be grateful at the cost of his honour, no woman can be grateful at the cost of her chastity and no nation can be grateful at the cost of its liberty. This caution is far more necessary in the case of India than in the case of any other country. For in India, *Bhakti* or what may be called the path of devotion or hero-worship, plays a part in its politics unequalled in magnitude by the part it plays in the politics of any other country in the world. *Bhakti* in religion may be a road to the salvation of the soul. But, in politics, *Bhakti* or hero-worship is a sure road to degradation and to eventual dictatorship.

The third thing we must do is not to be content with mere political democracy. We must make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity as the principles of life. These principles of liberty, equality and fraternity are not to be treated as separate items in a trinity. They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy. Liberty cannot be divorced from equality, equality cannot be divorced from liberty. Nor can liberty and equality be divorced from

the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things. It would require a constable to enforce them. We must begin by acknowledging the fact that there is complete absence of two things in Indian society. One of these is equality. On the social plane, we have in India a society based on the principle of graded inequality which means elevation for some and degradation for others. On the economic plane, we have a society in which there are some who have immense wealth as against many who live in abject poverty. On the 26th of January, 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognizing the principle of one man one vote and one vote one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril. We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which this Assembly has so laboriously built up.

The second thing we are wanting in is recognition of the principle of fraternity. What does fraternity mean? Fraternity means a sense of common brotherhood of all Indians—of Indians being one people. It is the principle which gives unity and solidarity to social life. It is a difficult thing to achieve. How difficult it is, can be realized from the story related by James Bryce in his volume on American Commonwealth about the United States of America.

The story is—I propose to recount it in the words of Bryce himself—that—

Some years ago the American Protestant Episcopal Church was occupied at its triennial Convention in revising its liturgy. It was thought desirable to introduce among the short sentence prayers a prayer for the whole people, and an eminent New England divine proposed the words 'O Lord, bless our nation'. Accepted one afternoon, on the spur of the moment, the sentence was brought up next day for reconsideration, when so many objections were raised by the laity to the word 'nation' as importing too definite a recognition of national unity, that it was dropped, and instead there were adopted the words 'O Lord, bless these United States'.

There was so little solidarity in the U.S.A. at the time when this incident occurred that the people of America did not think that they were a nation. If the people of the United States could not feel that they were a nation, how difficult it is for Indians to think that they are a nation. I remember the days when politically-minded Indians resented the expression "the people of India". They preferred the expression "the Indian nation." I am of the opinion that in believing that we are a nation, we are cherishing a great delusion. How can people divided into several thousands of castes be a nation? The sooner we realize that we are not as yet a nation in the social and psychological sense of the world, the better for us. For, then only we shall realize the necessity of becoming a nation and seriously think of ways and means of realizing the goal. The realization of this goal is going to be very difficult—far more difficult than it has been in the United States. The United States has no caste problem. In India there are castes. The castes are anti-national—in the first place, because they bring about separation in social life. They are anti-national also because they generate jealousy and antipathy between caste and caste. But we must overcome all these difficulties if we wish to become a nation in reality. For fraternity can be a fact only when there is a nation. Without fraternity, equality and liberty will be no deeper than coats of paint.

These are my reflections about the tasks that lie ahead of us. They may not be very pleasant to some. But there can be no gainsaying that political power in this country has too long been the monopoly of a few and the many are not only beasts of burden, but also beasts of prey. This monopoly has not merely deprived them of their chance of betterment, it has sapped them of what may be called the significance of life. These down-trodden classes are tired of being governed. They are impatient to govern themselves. This urge for self-realization in the down-trodden classes must not be allowed to devolve into a class struggle or class war. It would lead to a division of the House. That would indeed be a day of disaster. For, as has been well said by Abraham Lincoln, a House divided against itself cannot stand very long. Therefore, the sooner room is made for the realization of their aspiration, the better for the few, the better for the country, the better for the maintenance of its independence and the better for the continuance of its democratic structure. This can only be done by the establishment of equality and fraternity in all spheres of life. That is why I have laid so much stress on them.

I do not wish to weary the House any further. Independence is no doubt a matter of joy. But let us not forget that this independence has thrown on us great responsibilities. By independence, we have lost the excuse of blaming the British for anything going wrong. If, hereafter, things go wrong, we will have nobody to blame except ourselves. There is great danger of things going wrong. Times are fast changing. People, including our own, are being moved by new ideologies.

They are getting tired of government by the people. They are prepared to have government for the people and are indifferent whether it is government of the people and by the people. If we wish to preserve the Constitution in which we have sought to enshrine the principle of government of the people, for the people and by the people, let us resolve not to be tardy in the recognition of the evils that lie across our path and which induce people to prefer government for the people to government by the people, nor to be weak in our initiative to remove them. That is the only way to serve the country. I know of no better.

Mr. President : The House will adjourn till Ten of the clock tomorrow morning when we shall take up the voting on the motion which was moved by Dr. Ambedkar.

The Assembly then adjourned till Ten of the Clock on Saturday, the 26th November, 1949.

CONSTITUENT ASSEMBLY OF INDIA

Saturday, the 26th November, 1949

The Constituent Assembly of India met in the Constitution Hall, New Delhi, at Ten of the Clock, Mr. President (The Honourable Dr. Rajendra Prasad) in the Chair.

ANNOUNCEMENT *RE.* STATES

Mr. President: I understand that Sardar Patel has to make some announcement regarding the position of the States. Before putting the motion formally to vote I would ask him to make the statement.

The Honourable Sardar Vallabhbhai J. Patel (Bombay : General) : Sir, I have a short announcement to make. As honourable members will recall, in the course of the detailed statement I made before this House on the 12th October on the position of the States under the new Constitution, I apprised honourable members of the procedure we contemplated regarding the acceptance of the Constitution by the States. I am glad to inform the House that all the nine States specified in Part B of the First Schedule of the Constitution, including the State of Hyderabad, have signified, in the manner indicated in my statement made on October 12th, their acceptance of the Constitution which the House is now going to adopt.

DRAFT CONSTITUTION—(*Contd.*)

Mr. President : ***Before I formally put the motion which was moved by Dr. Ambedkar, I desire to say a few words.

I desire to congratulate the Assembly on accomplishing a task of such tremendous magnitude. It is not my purpose to appraise the value of the work that the Assembly has done or the merits or demerits of the Constitution which it has framed. I am content to leave that to others and to posterity. I shall attempt only to point out some of its salient features and the method which we have pursued in framing the Constitution.

***Translation of Hindustani speech

Before I do that, I would like to mention some facts which will show the tremendousness of the task which we undertook some three years ago. If you consider the population with which the Assembly has had to deal, you will find that it is more than the population of the whole of Europe minus Russia, being 319 million as against 317 million. The countries of Europe have never been able to join together or coalesce even in a Confederacy, much less under one unitary government. Here, in spite of the size of the population and the country, we have succeeded in framing a Constitution which covers the whole of it. Apart from the size, there were other difficulties which were inherent in the problem itself. We have got many communities living in this country. We have got many languages prevalent in different parts of it. We have got other kinds of differences dividing the people in the different parts from one another. We had to make provision not only for areas which are advanced educationally and economically, we had also to make provision for backward people like the Tribes and for backward areas like the Tribal Areas. The communal problem had been one of the knottiest problems which the country has had before it for a pretty long time. The Second Round Table Conference, which was attended by Mahatma Gandhi, failed because the communal problem could not be solved. The subsequent history of the country is too recent to require narration here; but we know this that, as a result, the country has had to be divided and we have lost two big portions in the north-east and north-west.

Another problem of great magnitude was the problem of the Indian States. When the British came to India, they did not conquer the country as a whole or at one stroke. They got bits of it from time to time. The bits which came into their direct possession and control came to be known as British India; but a considerable portion remained under the rule and control of the Indian Princes. The British thought at the time that it was not necessary or profitable for them to take direct control of those territories, and they allowed the old rulers to continue, subject to their suzerainty. But they entered into various kinds of treaties and engagements with them. We had something near six hundred States covering more than one-third of the territory of India and one-fourth of the population of the country. They varied in size from small tiny principalities to big States like Mysore, Hyderabad, Kashmir, etc. When the British decided to leave this country, they transferred power to us; but, at the same time, they also declared that all the treaties and engagements they had with the Princes had lapsed. The Paramountcy which they had so long exercised and by which they could keep the Princes in order also lapsed. The Indian Government was then faced with the problem of tackling these States which had different traditions of rule, some of them having some form of popular representation in Assemblies and some having no semblance of anything like that, and governing completely autocratically.

As a result of the declaration that the treaties with the Princes and Paramountcy had lapsed, it became open to any Prince or any combination of Princes to assume independence and even to enter into negotiations with any foreign power and thus become islands of independent territory within the country. There were undoubtedly geographical and other compulsions which made it physically impossible for most of them to go against the Government of India but constitutionally it had become possible. The Constituent Assembly, therefore, had at the very beginning of its labours, to enter into negotiations with them to bring their representatives into the Assembly so that a Constitution might be framed in consultation with them. The first efforts were successful and some of them did join this Assembly at an early stage but others hesitated. It is not necessary to pry into the secrets of what was happening in those days behind the scenes. It will be sufficient to state that by August 1947, when the Indian Independence Act came into force, almost all of them with two notable exceptions, Kashmir in the north and Hyderabad in the south, had acceded to India. Kashmir soon after followed the example of others and acceded. There were standstill agreements with all of them, including Hyderabad which continued the *status quo*. As time passed, it became apparent that it was not possible at any rate for the smaller States to maintain their separate independent existence and then a process of integration with India started. In course of time, not only have all the smaller States coalesced and become integrated with some Province or other of India but some of the larger ones also have joined. Many of the States have formed Unions of their own and such Unions have become part of the Indian Union. It must be said to the credit of the Princes and the people of the States no less than to the credit of the States Ministry under the wise and far-sighted guidance of Sardar Vallabhbhai Patel that by the time we have been able to pass this Constitution, the States are now more or less in the same position as the Provinces and it has become possible to describe all of them, including the Indian States and the Provinces, as States in the Constitution. The announcement which has been made just now by Sardar Vallabhbhai Patel makes the position very clear, and now there is no difference between the States, as understood before, and the Provinces in the new Constitution.

It has undoubtedly taken us three years to complete this work, but when we consider the work that has been accomplished and the number of days that we have spent in framing this Constitution, the details of which were given by the Honourable Dr. B. R. Ambedkar yesterday, we have no reason to be sorry for the time spent. It has enabled the apparently intractable problem of the States and the communal problem to be solved. What had proved insoluble at the Round Table Conference and had resulted in the division of the country has been solved with the consent of all parties concerned, and again under the wise guidance of Honourable Sardar Vallabhbhai Patel.

At first, we were able to get rid of separate electorates which had poisoned our political life for so many years, but reservation of seats for the communities which enjoyed separate electorates before had to be conceded, although on the basis of their population and not as had been done in the Act of 1919 and the Act of 1935 of giving additional representation on account of the so-called historical and other superiority claimed by some of the communities. It has become possible only because the Constitution was not passed earlier, that even reservation of seats has been given up by the communities concerned and so our Constitution does not provide for reservation of seats on communal basis, but for reservation only in favour of two classes of people in our population, namely, the depressed classes who are Hindus and the tribal people, on account of their backwardness in education and in other respects. I, therefore, see no reason to be apologetic about the delay.

The cost too which the Assembly has had to incur during its three years' existence is not too high when you take into consideration the factors going to constitute it. I understand that the expenses up to the 22nd of November come to Rs. 63,96,729/-.

The method which the Constituent Assembly adopted in connection with the Constitution was first to lay down its 'terms of reference' as it were in the form of an Objectives Resolution which was moved by Pandit Jawaharlal Nehru in an inspiring speech and which constitutes now the Preamble to our Constitution. It then proceeded to appoint a number of Committees to deal with different aspects of the constitutional problem. Dr. Ambedkar mentioned the names of these Committees. Several of these had as their Chairman either Pandit Jawaharlal Nehru or Sardar Patel to whom, thus, goes the credit for the fundamentals of our Constitution. I have only to add that they all worked in a business-like manner and produced reports which were considered by the Assembly and their recommendations were adopted as the basis on which the draft of the Constitution had to be prepared. This was done by Mr. B. N. Rau, who brought to bear on his task a detailed knowledge of Constitutions of other countries and an extensive knowledge of the conditions of this country as well as his own administrative experience. The Assembly then appointed the Drafting Committee which worked on the original draft prepared by Mr. B. N. Rau and produced the Draft Constitution which was considered by the Assembly at great length at the second reading stage. As Dr. Ambedkar pointed out, there were not less than 7,635 amendments of which 2,473 amendments were moved. I am mentioning this only to show that it was not only the members of the Drafting Committee who were giving their close attention to the Constitution, but other members were vigilant and scrutinising the Draft in all its details. No wonder, that we had to consider not only each article in the Draft, but practically every sentence and, sometimes, every word in

every article. It may interest honourable members to know that the public were taking great interest in its proceedings and I have discovered that no less than 53,000 visitors were admitted to the Visitors' Gallery during the period when the Constitution has been under consideration. In the result, the Draft Constitution has increased in size, and by the time it has been passed, it has come to have 395 articles and 8 Schedules, instead of the 243 articles and 13 Schedules of the original Draft of Mr. B. N. Rau. I do not attach much importance to the complaint which is sometimes made that it has become too bulky. If the provisions have been well thought out, the bulk need not disturb the equanimity of our mind.

We have now to consider the salient features of the Constitution. The first question which arises and which has been mooted is as to the category to which this Constitution belongs. Personally, I do not attach any importance to the label which may be attached to it—whether you call it federal Constitution or unitary Constitution or by any other name. It makes no difference so long as the Constitution serves our purpose. We are not bound to have a Constitution which completely and fully falls in line with known categories of Constitutions in the world. We have to take certain facts of history in our own country and the Constitution has, not to an inconsiderable extent, been influenced by such realities as facts of history.

You are all aware that until the Round Table Conference of 1930, India was completely an unitary Government, and the Provinces derived whatever power they possessed from the Government of India. It was there for the first time that the question of Federation in a practical form arose which would include not only the Provinces but also the many States that were in existence. The Constitution of 1935 provided for a Federation in which both the Provinces of India and the States were asked to join. But the federal part of it could not be brought into operation, because the terms on which the Princes could agree to join it could not be settled in spite of prolonged negotiation. And, when the War broke out, that part of the Constitution had practically to be abrogated.

In the present Constitution, it has been possible not only to bring in practically all the States which fell within our geographical limits, but to integrate the largest majority of them in India, and the Constitution as it stands practically makes no difference so far as the administration and the distribution of powers among the various organs of the State are concerned between what were the Provinces and what were Indian States before. They are all now more or less on the same footing and, as time passes, whatever little distinction still exists is bound to disappear. Therefore, so far as labelling is concerned, we need not be troubled by it.

Well, the first and the most obvious fact which will attract any observer is the fact that we are going to have a Republic. India knew republics in the past olden days, but that was 2,000 years ago or more and those republics were small republics. We never had anything like the Republic which we are going to have now, although there were empires in those days as well as during the Mughal period which covered very large parts of the country. The President of the Republic will be an elected President. We never have had an elected Head of the State which covered such a large area of India. And it is for the first time that it becomes open to the humblest and the lowliest citizens of the country to deserve and become the President or the Head of this big State which counts among the biggest States of the world today. This is not a small matter. But because we have an elected President, some of the problems which are of a very difficult nature have arisen. We have provided for the election of the President. We have provided for an elected Legislature which is going to have supreme authority. In America, the Legislature and the President are both elected and there both have more or less equal powers—each in its or his own sphere, the President in the executive sphere and the Legislature in the legislative sphere.

We considered whether we should adopt the American model or the British model where we have a hereditary King who is the fountain of all honour and power, but who does not actually enjoy any power. All the power rests in the Legislature to which the Ministers are responsible. We have had to reconcile the position of an elected President with an elected Legislature and, in doing so, we have adopted more or less the position of the British Monarch for the President. This may or may not be satisfactory. Some people think too much power has been given to the President; others think that the President, being an elected President, should have even more powers than are given to him.

If you look at it from the point of view of the electorate which elects the Parliament and which elects the President, you will find that practically the entire adult population of the country joins in electing this Parliament and it is not only the members of the Parliament of India but also the members of the Legislative Assemblies of the States who join in electing the President. It thus comes about that while the Parliament and Legislative Assemblies are elected by the adult population of the country as a whole, the President is elected by representatives who represent the entire population twice over, once as representatives of the States and again as their representatives in the Central Parliament of the country. But although the President is elected by the same electorate as the Central and State Legislatures, it is as well that his position is that of a Constitutional President.

Then we come to the Ministers. They are, of course, responsible to the Legislature and tender advice to the President who is bound to act according to that advice. Although there are no specific provisions, so far as I know, in the Constitution itself, making it binding on the President to accept the advice of his Ministers, it is hoped that the convention under which in England the King acts always on the advice of his Ministers will be established in this country also and, the President, not so much on account of the written word in the Constitution, but as the result of this very healthy convention, will become a Constitutional President in all matters.

The Central Legislature consists of two Houses known as the House of the People and the Council of States which both together constitute the Parliament of India. In the Provinces, or States as they are now called, we shall have a Legislative Assembly in all of them except those which are mentioned in Parts C and D of Schedule I, but every one of them will not have a Second Chamber. Some of the Provinces, whose representatives felt that a Second Chamber is required for them, have been provided with a Second Chamber. But there is a provision in the Constitution that if a Province does not want such a Second Chamber to continue or if a Province which has not got one wants to establish one, the wish has to be expressed through the Legislature by a majority of two-thirds of the members voting and by a majority of the total number of members in the Legislative Assembly. So, even while providing some of the States with Second Chambers, we have provided also for their easy removal or for their easy establishment by making this kind of amendment of the Constitution not a Constitutional Amendment, but a matter of ordinary parliamentary legislation.

We have provided for adult suffrage by which the Legislative Assemblies in the Provinces and the House of the People in the Centre will be elected. It is a very big step that we have taken. It is big not only because our present electorate is a very much smaller electorate and based very largely on property qualification, but it is also big because it involves tremendous numbers. Our population now is something like 320 million, if not more, and we have found from experience gained during the enrolment of voters that has been going on in the Provinces that 50 per cent roughly represent the adult population. And on that basis, we shall have not less than 160 million voters on our rolls. The work of organising election by such vast numbers is of tremendous magnitude and there is not another country where election on such a large scale has ever yet been held.

I will just mention to you some facts in this connection. The Legislative Assemblies in the Provinces, it is roughly calculated, will have more than 3,800 members who will have to be elected in as many constituencies or perhaps a few less. Then there will be something like 500 members for the House of the People

and about 220 members for the Council of States. We shall thus have to provide for the election of more than 4,500 members and the country will have to be divided into something like 4,000 constituencies or so. I was the other day, as a matter of amusement, calculating what our electoral roll will look like. If you print 40 names on a page of foolscap size, we shall require something like 20 lakhs of sheets of foolscap size to print all the names of the voters, and if you combine the whole thing in one volume, the thickness of the volume will be something like 200 yards. That alone gives us some idea of the vastness of the task and the work involved in finalising the rolls, delimiting constituencies, fixing polling stations and making other arrangements which will have to be done between now and the winter of 1950-51 when it is hoped the elections may be held.

Some people have doubted the wisdom of adult franchise. Personally, although I look upon it as an experiment, the result of which no one will be able to forecast today, I am not dismayed by it. I am a man of the village and although I have had to live in cities for a pretty long time, on account of my work, my roots are still there. I, therefore, know the village people who will constitute the bulk of this vast electorate. In my opinion, our people possess intelligence and common sense. They also have a culture which the sophisticated people of today may not appreciate, but which is solid. They are not literate and do not possess the mechanical skill of reading and writing. But, I have no doubt in my mind that they are able to take measure of their own interest and also of the interests of the country at large if things are explained to them. In fact, in some respects, I consider them to be even more intelligent than many a worker in a factory, who loses his individuality and becomes more or less a part of the machine which he has to work. I have, therefore, no doubt in my mind that if things are explained to them, they will not only be able to pick up the technique of election, but will be able to cast their votes in an intelligent manner and I have, therefore, no misgivings about the future, on their account. I cannot say the same thing about the other people who may try to influence them by slogans and by placing before them beautiful pictures of impracticable programmes. Nevertheless, I think their sturdy common sense will enable them to see things in the right perspective. We can, therefore, reasonably hope that we shall have Legislatures composed of members who shall have their feet on the ground and who will take a realistic view of things.

Although provision has been made for a Second Chamber in the Parliament and for Second Chambers in some of the States, it is the popular House which is supreme. In all financial and money matters, the supremacy of the popular House is laid down in so many words. But even in regard to other matters where the Upper Chamber may be said to have equal powers for initiating and passing laws, the supremacy of the popular House is assured. So far as Parliament is

concerned, if a difference arises between the two Chambers, a joint session may be held; but the Constitution provides that the number of members of the Council of States shall not be more than 50 per cent of the members of the House of the People. Therefore, even in the case of a joint session, the supremacy of the House of the People is maintained, unless the majority in that very House is a small one which will be just a case in which its supremacy should not prevail. In the case of Provincial Legislatures, the decision of the Lower House prevails if it is taken a second time. The Upper Chamber, therefore, can only delay the passage of bills for a time, but cannot prevent it. The President or the Governor, as the case may be, will have to give his assent to any legislation, but that will be only on the advice of his Ministry which is responsible ultimately to the popular House. Thus, it is the will of the people as expressed by their representatives in the popular Chamber that will finally determine all matters. The Second Chamber and the President or the Governor can only direct reconsideration and can only cause some delay; but if the popular Chamber is determined, it will have its way under the Constitution. The Government, therefore, of the country as a whole, both in the Centre and in the Provinces, will rest on the will of the people which will be expressed from day to day through their representatives in the Legislatures and, occasionally, directly by them at the time of the general elections.

We have provided in the Constitution for a Judiciary which will be independent. It is difficult to suggest anything more to make the Supreme Court and the High Courts independent of the influence of the Executive. There is an attempt made in the Constitution to make even the lower judiciary independent of any outside or extraneous influence. One of our articles makes it easy for the State Governments to introduce separation of executive from judicial functions and placing the magistracy which deals with criminal cases on similar footing as Civil Courts. I can only express the hope that this long overdue reform will soon be introduced in the States.

Our Constitution has devised certain independent agencies to deal with particular matters. Thus, it has provided for Public Service Commission both for the Union and for the States and placed such Commission on an independent footing so that they may discharge their duties without being influenced by the Executive. One of the things against which we have to guard is that there should be no room as far as it is humanly possible for jobbery, nepotism and favouritism. I think the provisions which we have introduced into our Constitution will be very helpful in this direction.

Another independent authority is the Comptroller and the Auditor-General who will watch our finances and see to it that no part of the revenues of India or of any of the States is used for purposes and on items without due authority and whose duty it will be otherwise to keep our accounts in order. When we consider that our Governments will have to deal with hundreds of crores, it becomes clear how important and vital this Department will be. We have provided another important authority, *i.e.*, the Election Commissioner whose function it will be to conduct and supervise the elections to the Legislatures and to take all other necessary action in connection with them. One of the dangers which we have to face arises out of any corruption which parties, candidates or the Government in power may practise. We have had no experience of democratic elections for a long time except during the last few years and now that we have got real power, the danger of corruption is not only imaginary. It is, therefore, as well that our Constitution guards against this danger and makes provision for an honest and straightforward election by the voters. In the case of the Legislature, the High Courts, the Public Services Commission, the Comptroller and the Auditor-General and the Election Commissioner, the Staff which will assist them in their work has also been placed under their control and in most of these cases their appointment, promotion and discipline vest in the particular institution to which they belong, thus giving additional safeguards about their independence.

The Constitution has given in two Schedules, namely Schedules V and VI, special provisions for the administration and control of Scheduled Areas and Scheduled Tribes. In the case of the Tribes and Tribal Areas in States other than Assam, the Tribes will be able to influence the administration through the Tribes Advisory Council. In the case of the Tribes and Tribal Areas in Assam, they are given larger powers through their District Councils and Autonomous Regional Councils. There is further provision for a Minister in the State Ministries to be in charge of the welfare of the Tribes and the Scheduled Castes and a Commission will also report about the way in which the areas are administered. It was necessary to make this provision on account of the backwardness of the Tribes which require protection and also because of their own way of solving their own problems and carrying on their tribal life. These provisions have given them considerable satisfaction as the provision for the welfare and protection of the Scheduled Castes has given satisfaction to them.

The Constitution has gone into great details regarding the distribution of powers and functions between the Union and the States in all aspects of their administrative and other activities. It has been said by some that the powers given to the Centre are too many and too extensive and the States have been deprived of power which should really belong to them in their own fields. I do not wish

to pass any judgment on this criticism and can only say that we cannot be too cautious about our future, particularly when we remember the history of this country extending over many centuries. But such powers as have been given to the Centre to act within the sphere of the States relate only to emergencies, whether political or financial and economic, and I do not anticipate that there will be any tendency on the part of the Centre to grab more power than is necessary for good administration of the country as a whole. In any case, the Central Legislature consists of representatives from the States and unless they are convinced of their over-riding necessity, they are not likely to consent to the use of any such powers by the Central Executive as against the States whose people they represent. I do not attach much importance to the complaint that residuary powers have been vested in the Union. Powers have been very meticulously and elaborately defined and demarcated in the three Lists of Schedule VII, and the residue, whatever it may be, is not likely to cover any large field, and, therefore, the vesting of such residuary powers does not mean any very serious derogation in fact from the power which ought to belong to the States.

One of the problems which the Constituent Assembly took considerable time in solving relates to the language for official purposes of the country. There is a natural desire that we should have our own language, and in spite of the difficulties on account of the multiplicity of languages prevalent in the country, we have been able to adopt Hindi, which is the language that is understood by the largest number of people in the country as our official language. I look upon this as a decision of very great importance when we consider that in a small country like Switzerland they have no less than three official languages and in South Africa two official languages. It shows a spirit of accommodation and a determination to organize the country as one nation that those whose language is not Hindi have voluntarily accepted it as the official language. (*Cheers*). There is no question of imposition now. English during the period of British rule and Persian during the period of the Muslim Empire were Court and official languages. Although people have studied them and have acquired proficiency in them, nobody can claim that they were voluntarily adopted by the people of the country at large. Now, for the first time in our history we have accepted one language which will be the language to be used all over the country for all official purposes, and let me hope that it will develop into a national language in which all will feel equal pride while each area will be not only free, but also encouraged to develop its own peculiar language in which its culture and its traditions are enshrined. The use of English during the period of transition was considered inevitable for practical reasons and no one need be dependant over this decision, which has been dictated purely by practical considerations. It is the duty of the country as a whole now and especially of those whose language is Hindi to so shape and develop it as to make it the language in which the composite culture of India can find its expression adequately and nobly.

Another important feature of our Constitution is that it enables amendments to be made without much difficulty. Even the constitutional amendments are not as difficult as in the case of some other countries, but many of the provisions in the Constitution are capable of being amended by the Parliament by ordinary acts and do not require the procedure laid down for constitutional amendments to be followed. There was a provision at one time which proposed that amendments should be made easy for the first five years after the Constitution comes into force, but such a provision has become unnecessary on account of the numerous exceptions which have been made in the Constitution itself for amendments without the procedure laid down for constitutional amendments. On the whole, therefore, we have been able to draft a Constitution which, I trust, will serve the country well.

There is a special provision in our Directive Principles to which I attach great importance. We have not provided for the good of our people only but have laid down in our Directive Principles that our State shall endeavour to promote material peace and security, maintain just and honourable relations between nations, foster respect for international law and treaty obligations and encourage settlement of international disputes by arbitration. In a world torn with conflicts, in a world which even after the devastation of two World Wars is still depending on armaments to establish peace and goodwill, we are destined to play a great part, if we prove true to the teachings of the Father of the Nation and give effect to this Directive Principle in our Constitution. Would to God that He would give us the wisdom and the strength to pursue this path in spite of the difficulties which beset us and the atmosphere which may well choke us. Let us have faith in ourselves and in the teachings of the Master whose portrait hangs over my head and we shall fulfil the hopes and prove true to the best interests of not only our country but of the world at large.

I do not propose to deal with the criticism which relate mostly to the articles in the part dealing with Fundamental Rights by which absolute rights are curtailed and the articles dealing with Emergency Powers. Other members have dealt with these objections at great length. All that I need state at this stage is that the present conditions of the country and tendencies which are apparent have necessitated these provisions which are also based on the experience of other countries which have had to enforce them through judicial decisions, even when they were not provided for in the Constitution.

There are only two regrets which I must share with the honourable members. I would have liked to have some qualifications laid down for members of the Legislatures. It is anomalous that we should insist upon high qualifications for those who administer or help in administering the law but none for those who

make it except that they are elected. A law giver requires intellectual equipment but even more than that capacity to take a balanced view of things, to act independently and above all to be true to those fundamental things of life—in one word—to have character (*Hear, bear*). It is not possible to devise any yard-stick for measuring the moral qualities of a man and so long as that is not possible, our Constitution will remain defective. The other regret is that we have not been able to draw up our first Constitution of a free Bharat in an Indian language. The difficulties in both cases were practical and proved insurmountable. But that does not make the regret any the less poignant.

We have prepared a democratic Constitution. But successful working of democratic institutions requires in those who have to work them willingness to respect the view points of others, capacity for compromise and accommodation. Many things which cannot be written in a Constitution are done by conventions. Let me hope that we shall show those capacities and develop those conventions. The way in which we have been able to draw this Constitution without taking recourse to voting and to divisions in lobbies strengthens that hope.

Whatever the Constitution may or may not provide, the welfare of the country will depend upon the way in which the country is administered. That will depend upon the men who administer it. It is a trite saying that a country can have only the government it deserves. Our Constitution has provisions in it which appear to some to be objectionable from one point or another. We must admit that the defects are inherent in the situation in the country and the people at large. If the people who are elected are capable and men of character and integrity, they would be able to make the best even of a defective Constitution. If they are lacking in these, the Constitution cannot help the country. After all, a Constitution, like a machine, is a lifeless thing. It acquires life because of the men who control it and operate it, and India needs today nothing more than a set of honest men who will have the interest of the country before them. There is a fissiparous tendency arising out of various elements in our life. We have communal differences, caste differences, language differences, provincial differences and so forth. It requires men of strong character, men of vision, men who will not sacrifice the interests of the country at large for the sake of smaller groups and areas and who will rise over the prejudices which are born of these differences. We can only hope that the country will throw up such men in abundance. I can say this from the experience of the struggle that we have had during the period of the freedom movement that new occasions throw up new men; not once but almost on every occasion, when all leading men in the Congress were clapped into prison suddenly without having the time to leave instructions to others and even to make plans for carrying on their campaigns, people arose from amongst the masses who were

able to continue and conduct the campaigns with intelligence, with initiative, with capacity for organisation which nobody suspected they possessed. I have no doubt that when the country needs men of character, they will be coming up and the masses will throw them up. Let not those who have served in the past therefore rest on their oars, saying that they have done their part and now has come the time for them to enjoy the fruits of their labours. No such time comes to anyone who is really earnest about his work. In India, today, I feel that the work that confronts us is even more difficult than the work which we had when we were engaged in the struggle. We did not have then any conflicting claims to reconcile, no loaves and fishes to distribute, no powers to share. We have all these now, and the temptations are really great. Would to God that we shall have the wisdom and the strength to rise above them, and to serve the country which we have succeeded in liberating.

Mahatma Gandhi laid stress on the purity of the methods which had to be pursued for attaining our ends. Let us not forget that this teaching has eternal value and was not intended only for the period of stress and struggle but has as much authority and value today as it ever had before. We have a tendency to blame others for everything that goes wrong and not to introspect and try to see if we have any share in it or not. It is very much easier to scan one's own actions and motives if one is inclined to do so than to appraise correctly the actions and motives of others. I shall only hope that all those whose good fortune it may be to work this Constitution in future will remember that it was a unique victory which we achieved by the unique method taught to us by the Father of the Nation, and it is up to us to preserve and protect the independence that we have won to make it really bear fruit for the man in the street. Let us launch on this new enterprise of running our Independent Republic with confidence, with truth and non-violence and above all with heart within and God over head.

Before I close, I must express my thanks to all the members of this august Assembly from whom I have received not only courtesy but, if I may say so, also their respect and affection. Sitting in the Chair and watching the proceedings from day to day, I have realised as nobody else could have, with what zeal and devotion the members of the Drafting Committee and especially its Chairman, Dr. Ambedkar in spite of his indifferent health, have worked. (*Cheers*). We could never make a decision which was or could be ever so right as when we put him on the Drafting Committee and made him its Chairman. He has not only justified his selection but has added lustre to the work which he has done. In this connection, it would be invidious to make any distinction as among the other members of the Committee. I know they have all worked with the same zeal and devotion as its Chairman, and they deserve the thanks of the country.

I must convey, if you will permit me, my own thanks as well as the thanks of the House to our Constitutional Adviser, Shri B. N. Rau, who worked honorarily all the time that he was here, assisting the Assembly not only with his knowledge and erudition but also enabled the other members to perform their duties with thoroughness and intelligence by supplying them with the material on which they could work. In this, he was assisted by his band of research workers and other members of the staff who worked with zeal and devotion. Tribute has been paid justly to Shri S. N. Mukerjee who has proved of such invaluable help to the Drafting Committee.

Coming to the staff of the Secretariat of the Constituent Assembly, I must first mention and thank the Secretary, Mr. H. V. R. Iengar, who organised the Secretariat as an efficient working body. Although later when the work began to proceed with more or less clock-work regularity, it was possible for us to relieve him of part of his duties to take up other work, he has never lost touch with our Secretariat or with the work of the Constituent Assembly.

The members of the staff have worked with efficiency and with devotion under our Deputy Secretary Shri Jugal Kishore Khanna. It is not always possible to see their work which is done removed from the gaze of the members of this Assembly but I am sure the tribute which member after member has paid to their efficiency and devotion to work is thoroughly deserved. Our Reporters have done their work in a way which will give credit to them and which has helped in the preservation of a record of the proceedings of the Assembly which have been long and taxing. I must mention the Translators as also the Translation Committee under the Chairmanship of Honourable Shri G. S. Gupta who have had a hard job in finding Hindi equivalents for English terms used in the Constitution. They are just now engaged in helping a Committee of Linguistic Experts in evolving a vocabulary which will be acceptable to all other languages as equivalents to English words used in the Constitution and in law. The Watch and Ward officers and the Police and last though not least the Marshall have all performed their duties to our satisfaction. (*Cbeers*). I should not forget the peons and even the humbler people. They have all done their best. It is necessary for me to say all this because with the completion of the work of Constitution-framing, most of them who have been working on a temporary basis, will be out of employment unless they could be absorbed in other Departments and Ministries. I do hope that it will be possible to absorb them (*bear, bear*) as they have considerable experience and are a willing and efficient set of workers. All deserve my thanks as I have received courtesy, co-operation and loyal service from all. (*Prolonged Cbeers*).

It now remains to put the motion which was moved by Dr. Ambedkar, to the vote of the House. The question is :

“That the Constitution as settled by the Assembly be passed.”

The motion was adopted. (*Prolonged Cbeers*)

Mr. President : I have now formally to sign the Bill which has now become an Act, by way of its authentication so that it may get authority and come into force immediately.

Mr. President then authenticated the Constitution.

Mr. President : Before the House adjourns, there is one formal matter to be gone through, and that is to give me authority to call another session of the Assembly in January.

Shri Satyanarayan Sinha (Bihar : General) : Sir, I move:

“Resolved that the Constituent Assembly do adjourn till such date before the 26th of January, 1950 as the President may fix.”

Mr. President : The question is:

“Resolved that the Constituent Assembly do adjourn till such date before the 26th of January, 1950 as the President may fix.”

The motion was adopted.

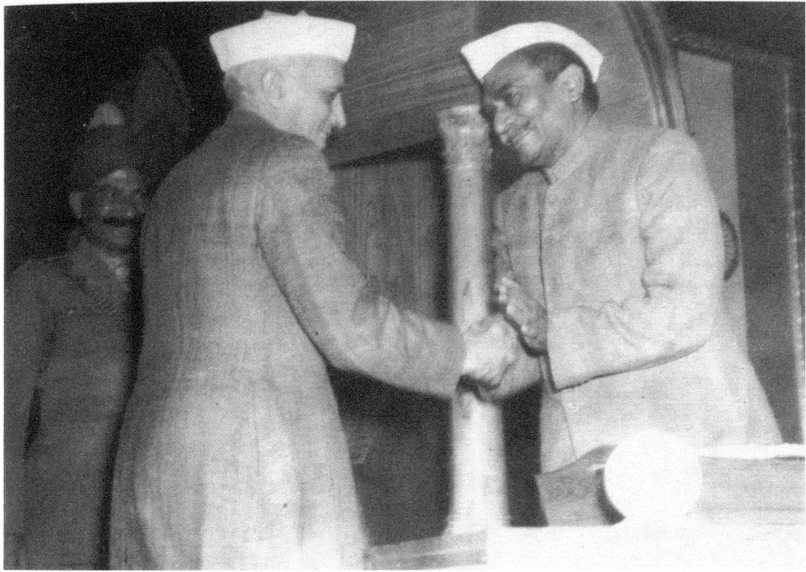
Mr. President : Before we adjourn, I would like to go round and shake hands with all the members as I did when you first elected me to this place.

The Honourable Pandit Jawaharlal Nehru (United Provinces : General) : We shall come there and shake hands one by one, Sir.

(The honourable members then shook hands with Mr. President one by one.)

Mr. President : The House is adjourned *sine die*.

The Assembly then adjourned until a date before the 26th of January, 1950, to be fixed by the President.



The Prime Minister, Pandit Jawaharlal Nehru congratulating Dr. Rajendra Prasad on the passing of the Constitution by the Constituent Assembly



The Minister of Industry and Supply, Dr. Syama Prasad Mookerjee congratulating Dr. Rajendra Prasad on the passing of the Constitution



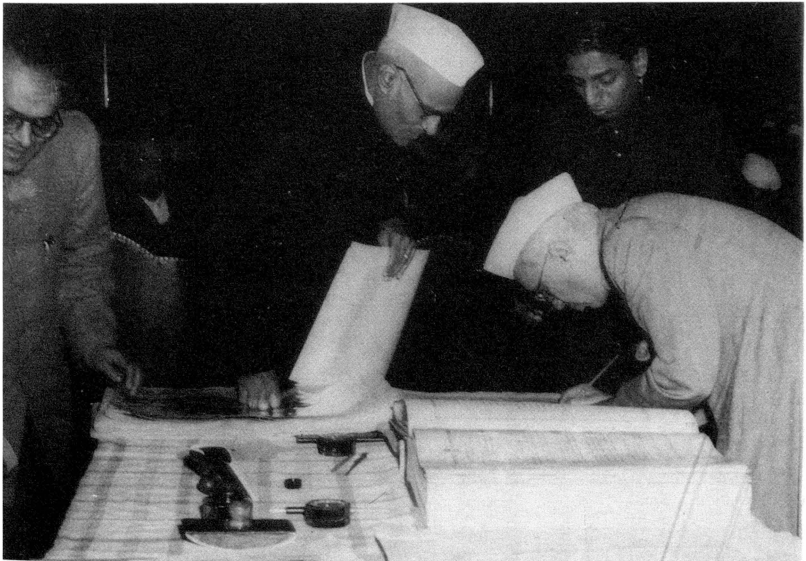
The Labour Minister, Babu Jagjivan Ram felicitating Dr. Rajendra Prasad on the passing of the Constitution



Pandit Jawaharlal Nehru addressing the Constituent Assembly on 24 January, 1950



Dr. Rajendra Prasad signing the Constitution of India,
as passed by the Constituent Assembly



The Prime Minister, Pandit Jawaharlal Nehru signing the Constitution of India
on 24 January 1950



Members of the Central Cabinet signing the Constitution. Seen in the photograph are Sardar Vallabhbhai Patel, Dr. John Mathai and Rajkumari Amrit Kaur



Pandit Jawaharlal Nehru with Sheikh Abdullah after the signing of the Constitution on 24 January 1950



The Chief Justice of India administering the oath of office to the first President of India, Dr. Rajendra Prasad, in the Darbar Hall, Government House, on 26 January, 1950

CONSTITUENT ASSEMBLY OF INDIA

Tuesday, the 24th January, 1950

The Constituent Assembly met in the Constitution Hall, New Delhi, at Eleven of the Clock, Mr. President (The Honourable Dr. Rajendra Prasad), in the Chair.

STATEMENT *RE* : NATIONAL ANTHEM

Mr. President : There is one matter which has been pending for discussion, namely the question of the National Anthem. At one time, it was thought that the matter might be brought up before the House and a decision taken by the House by way of a resolution. But it has been felt that instead of taking a formal decision by means of a resolution, it is better if I make a statement with regard to the National Anthem. Accordingly, I make this statement.

The composition consisting of the words and music known as *Jana Gana Mana* is the National Anthem of India, subject to such alterations in the words as the Government may authorise as occasion arises; and the song *Vande Mataram*, which has played a historic part in the struggle for Indian freedom, shall be honoured equally with *Jana Gana Mana* and shall have equal status with it. (*Applause*). I hope this will satisfy the members.

ELECTION OF PRESIDENT OF INDIA

Mr. President : The next item is the announcement of the result of the elections. I call upon Shri H. V. R. Iengar, the Returning Officer and the Secretary of the Constituent Assembly, to make the announcement.

Shri H.V. R. Iengar (Returning Officer and Secretary, Constituent Assembly): Mr. President, I have to inform honourable members that only one nomination paper has been received for the office of the President of India. The name of that candidate is Dr. Rajendra Prasad. (*Loud and prolonged cheers.*) His nomination has been proposed by Pandit Jawaharlal Nehru (*Renewed Cheers*) and seconded by Sardar Vallabhbhai Patel (*Continued Cheers*). Under sub-rule (1) of rule 8 of the Rules for the election of the President, I hereby declare Dr. Rajendra Prasad to be duly elected to the Office of President of India (*Prolonged Cheers*).

The Honourable Shri Jawaharlal Nehru (United Provinces : General):

Mr. President, may I, Sir, on my own behalf and on behalf of every member of this honourable House, offer you respectful congratulations on this high honour that has been conferred upon you? It is more than three years since we began the work of this Constituent Assembly under your leadership, and during these three years much has happened in this country which has changed the face of this country. We have faced turmoil and crises repeatedly but we have gone on with the work of making a Constitution for the public of India, and now we have accomplished that task. That chapter is closed. Fresh labours await us and another chapter begins in a day or two. Not only have we had experience of your able leadership during these three years of great difficulty but many of us have known you for three and thirty years or so as a soldier of India, ever in the forefront of the battle for freedom (*Cheers*). So, we welcome you Sir, as our leader, as the Head of the Republic of India, and as a comrade who has faced without flinching all the crisis and troubles that have confronted this country during the past generation. One task is accomplished today in this Assembly and this Assembly will cease to be, having done its work or rather it will suffer a sea change and emerge as the Parliament of the Republic of India. One task is accomplished that we set for us long ago. Other tasks now confront us. One dream that we dreamt for years past has been realised, but we confront again other dreams and other tasks, perhaps more arduous than the one we have already accomplished. It is a comfort for us all to know that in these future tasks and struggles, we shall have you as the Head of this Republic of India, and may I, Sir, pledge my loyalty and fealty to this Republic of which you will be the honoured President (*Prolonged Cheers*).

The Honourable Sardar Vallabhbhai J. Patel (Bombay : General) :

Mr. President and Friends, I crave your permission, Sir, to join in the chorus of congratulations showered on you on this sacred occasion when you have been elected as the Head of the State by the unanimous will of the representatives of the nation. (*Cheers*). I endorse every word that has fallen from the lips of the Honourable the Prime Minister and I beg to congratulate you on the great honour that has been conferred on you. For three years, you have been working as the President of the Constituent Assembly and members have watched the way in which the proceedings of the Assembly have been conducted by you. At one time, we were anxious and nervous because of your failing health due to the strain put upon you, but Providence has been merciful enough to restore you to your normal health and enable all of us to have the good fortune of seeing you elected as the first President and the Head of the State of the Republic of India. This is a red letter day in the history of India, and we have no manner of doubt that under your wise judgment, your unruffled and cool temperament and your method

of dealing with men and things, the honour and prestige of the country will rise as days go by and under your distinguished leadership the country will attain the status which it deserves among the nations of the world. I pray God may give us all the good sense to give you unreserved loyalty and complete co-operation in the heavy task which God has put upon you. We, all of us, have to swim together in the stormy seas that we have to cross in the future. You have by your affectionate temperament and by your goodness of heart, won the affection of every section of not only this House but every section of the people of the country at large. You richly deserve the honour that has been conferred upon you. (*Cbeers*).

Mr. President : I have had co-operation from the members all these years. I hope it will not be denied to me today, *i.e.*, on the last day. So, I would beg honourable members now to stop further discussion and not embarrass me more.... I am sure I have the House with me on this occasion as on all occasions, and so, I would request members who are anxious to speak to desist from doing so.

I recognize the solemnity of this occasion. We have, after a long struggle, reached one stage, and now another stage begins. It has been your kindness to place on me a very heavy responsibility. I have always held that the time for congratulation is not when a man is appointed to an office, but when he retires, and I would like to wait until the moment comes when I have to lay down the office which you have conferred on me to see whether I have deserved the confidence and the goodwill which have been showered on me from all sides and by all friends alike. When I sit listening to laudatory speeches—and although I have tried to cut that down to some extent, here also I have had to submit to it to a certain extent,—I am reminded of a story in the *Maha Bharat*, which is so full of piquant situations, and the solution that was found by Shree Krishna, who solved all those difficult and apparently insoluble problems. One of those days, Arjun took a vow that he would perform a certain thing before the sun set on that day and that if he did not succeed, he would burn himself on a pyre. He, unfortunately, did not succeed. And then the problem arose as to what was to be done. In fulfilment of that vow, he would have to burn himself. This, of course, was unthinkable so far as the Pandavas were concerned. But Arjuna was adamant in his resolve. Shree Krishna solved this problem by saying, “if you sit and praise yourself or listen to praise by others, that would be equivalent to committing suicide and burning yourself; so you had better submit to that and your vow will be fulfilled.” Very often, I have listened to such speeches in that spirit, because I have felt that there are many things which I am not able to fulfil, which I am not able to accomplish, and the only way in which I can fulfil these things is to

commit that kind of suicide. But, here, I am in a somewhat different situation. When our Prime Minister and our Deputy Prime Minister speak with emotion about me, I cannot but reciprocate that kind of emotion. We have lived and worked together for more than a quarter of a century, and in the closest association we have fought. We have never faltered; we have jointly succeeded also. And now that I am placed in one chair and they are occupying other chairs side by side, and there are other friends whose association I value equally well who will be sitting by their side to help and assist me, and when I know that I have the goodwill of all the members of this House and of a very large circle of friends outside this House, I feel confident that the duties which have been imposed upon me will be discharged to their satisfaction; not because I can do that, but because the joint efforts of all will enable the duties to be so performed.

The country today is facing very many problems and my feeling is that the kind of work which we have now to do is different from that which we used to do two years ago. It requires greater devotion, greater care, greater application and greater sacrifice. I can only hope that the country will throw up men and women who will be able to take up the burden and fulfil the highest aspirations of our people. May God give us strength to do that.

SIGNING OF THE HINDI TRANSLATION OF THE CONSTITUTION

Mr. President : Now there are two things more which remain to be done. One is the authentication or rather the certification of the Hindi translation of the Constitution. Honourable members will recollect that this House authorised me by a resolution to get the Hindi translation prepared, and printed and published before the 26th of January. That has been done. The House also authorised me to get translations in other languages prepared, printed and published. That work has not yet been completed; it has been taken up.

I will ask Shri Ghanshyam Singh Gupta to let me have the Hindi translation so that I may formally place it before the House and certify it.

(The Honourable Shri Ghanshyam Singh Gupta handed over to
Mr. President copies of the Hindi translation of the Constitution.
Mr. President then signed them.)

SIGNING OF THE CONSTITUTION

Mr. President : The only thing that now remains is the signing of the copy of the Constitution by the members. There are three copies ready. One is in English completely hand-written and illuminated by artists. The second copy is in print in English. The third copy is also hand-written in Hindi. All the three copies are laid on the Table and members will be requested one by one to come and sign the copies. The idea is to call them in the order in which they are sitting in the House now. But, as the Honourable the Prime Minister has to go on public duty, I will request him first to sign them.

(The Honourable Shri Jawaharlal Nehru then signed
the copies of the Constitution.)

Shri Algu Rai Shastri (U.P. : General) : *[Mr. President, I want to submit that since the Constituent Assembly has accomplished its task, its office will now be closed. I wish that the services of the staff working in this office should continue in some form or the other. It should not be that on the 26th of January, when the whole country will be engaged in festivities, these officials may not feel like participating in them, although they deserve their share. This is all that I want to submit.]

Mr. President : *[I would like to say in this connection that I have paid attention to this question and have corresponded with the Legislative Department and other Departments of the Government for accommodating, so far as possible, the persons working in our office. Efforts are being made for it. I hope that most of the people, if not all, will find employment. Efforts will be made to find employment for those also who are left out.]

The members will now come from the right side, from Madras side, as they are and sign one by one.

(The members then signed the copies of the Constitution.)

Mr. President : I would suggest to honourable members just to take their places, and sign as the names are called. That would, I think, be better; it will certainly look nicer. Mr. Khanna will call out the names of the members, one after another.

(The remaining members present then signed the copies of the Constitution after which Mr. President signed the copies.)

*[] Translation of Hindustani speech

Mr. President : Is there any member who has not yet signed? If any, he may sign later on in the office.

Honourable Members : *Vande Mataram*.

Shri M. Ananthasayanam Ayyangar (Madras: General): All of us will sing, with your permission, Sir, "*Jana Gana Mana*".

Mr. President : Yes.

(Shrimati Purnima Banerji, with other members, sang
Jana Gana Mana, all standing.)

Mr. President : *Vande Mataram*.

(Pandit Lakshmi Kanta Maitra, with other members, then sang
Vande Mataram, all standing.)

Mr. President : The House will stand adjourned now, *sine die*.

The Constituent Assembly then adjourned, *sine die*.

**SIGNATURES OF THE MEMBERS OF
THE CONSTITUENT ASSEMBLY**

(after the Eighth Schedule)

**Reproduced from the Calligraphed Copy of
the Constitution of India**

Eighth Schedule
 [Articles 344 (1) and 351]
Language

1. Assamese
2. Bengali
3. Gujarati
4. Hindi
5. Kannada
6. Kashmiri
7. Malayalam
8. Marathi
9. Oriya
10. Punjabi
11. Sanskrit
12. Tamil
13. Telugu
14. Urdu

विश्वविद्यालय
University

| | |
|--|--|
| <p>Jambhwal Nirmal</p> <p>Khoplaswami</p> <p>M. V. Krishna Srinivas Srinivas</p> <p>J. Prakasam</p> <p>P. Venkateswara</p> <p>G. Durgabai</p> <p>V. Venkateswara R. Srinivas</p> | <p>B. Battabhi Srinivas</p> <p>C. P. Ramalinga Reddy</p> <p>A. M. Srinivasadas</p> <p>K. Srinivasan</p> <p>P. Narayana</p> <p>M. Srinivasadas</p> <p>M. Srinivasadas</p> |
|--|--|

111/12/12

Kalder Singh

Amrit Kaur

Kallur Subbarao

Vallu Chelvi Parai

Jagjivandhan

M. S. G. Khari

Abdullahmanian

Saravanan Sathyan

P. R. Rameshwar

P. Subbarayan

1. 11. 1912

L. K. Chaudhary Bherati

Syama Prasad Mookerjee

Kshirika Chandra Nayyar

P. V. Haysan

— — — — —

T. J. N. Wilson

Chinnabhaiy Kallay

— — — — —

— — — — —

Pasupath Singhani

S. Kalakani

M. S. S. S. S. S.

Amnasaibaboy

V. Ramaswami

— — — — —

Wilayudhan

— — — — —

Ukharavahao

D. Govindarao

F. A. Ponnappa

K. Hanumanth

K. Srinivasiah Pillai

K. Subramanian

M. Adinarayana

B. P. Chetty

M. Kuntipamini

M. Satyanarayana

K. M. Anandarama

M. A. Natarajath Chetty

A. J. Chetty

S. Anandarama Das

K. Srinivasiah

J. Anandarama

A. Karunakara Menon

J. Anandarama Das

R. Anandarama

B. Anandarama

R. Anandarama

K. Anandarama

J. Anandarama

M. Anandarama

K. Anandarama

H. V. Patil

K. Anandarama

A. Anandarama

K. Anandarama

S. Anandarama

R. Anandarama

K. Anandarama

A. Anandarama

K. Anandarama

B. N. Menon

Abul Kalam

Dr. Mono Mohon Das.

Mihir Saha Chatterjee

Satis Chandra Banerjee.

Luxellandamipanda

Kasanta Kumar Das

Arum Chandra Guha.

Pranipalani

Raschhi Saha Mitra

पु. क. म. २१९ २०५७

Hriday Nath Kunjra

ग. स. म. १०००००००

श्री. क. म. १०००००००

जा. वि. म. मालवीय.

P. J. M. K.

Satis Chandra.

K. M. S. S. S.

Jugues Khan.

Eulke Kripalani

M. S. S.

Parina Banerji

M. S. S.

उ. क. म. १०००००००

अ. क. म. १०००००००

Mohammad Ahmad Kasim

श्री. क. म. १०००००००

Jogendra Singh

M. S. S.

श्री. क. म. १०००००००

श्री. क. म. १०००००००

श्री. क. म. १०००००००

(Bagam) K. Anjan Kumar

Chauthri Hyderabad Hussain

श्री. क. म. १०००००००

Wardilalena

Krishna Chandra Dasgupta

1917-18-19

Shyamsunder Bose

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Ram Chandra Sengupta

Phool Singh

A. Dharam Dasgupta

Ashwini Dasgupta

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Shyamprasad Dasgupta

1917-18-19 [BANKA-11
TERCIBAN]

Thakur Das Bhargava

Yashwant Rai

Gyanprasad Dasgupta

Rambhadracharya Choudhary

Achint Ram

Bikram Lal Sengupta

Kaushal

Hossain Imam

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Shyamprasad Dasgupta

Brajeshwar Prasad

Khushal Jalakshi Dasgupta

Luninga Kumar Ghosh

Dresda Natta
Sawaste
Chandira Ram

Banarsi Rasal Ghum
ghum

Muhamm. Dabir

Rosant Kamin Sen.

Luptanath Singh

Rajkumandan
Rosant

H. Narayan Sicha

Sri Narayan Mahla

Bonifacio Laha

Syamandan Saha

Kanuleshorik 4250.

Bhagrat Pasad

Kanawon Lix 98.

Kisombhar Dapal Chiketa

Jaypal Singh

श्री शांति प्रसाद

Pankajram - 1912

~~Tejmalghani~~

V. Krishnachari

Kishan Ballabhai

P. Govindram

श्री श्री श्री श्री

श्री श्री श्री श्री

जगत नारायण

श्री श्री श्री श्री

Frank Anthony

Chandrabanshana - ~~Chandrabanshana~~

Chandrabanshana

श्री श्री श्री श्री

श्री १०८५

विशाल विहार

गणेशदास
W. Ganesh

S. T. Shyamalika

रघुशंकर
R. S. Deshpande

K. S. Sagar

P. A. Mandoo

Gopinath Bhat

H. J. Khandekar

W. Shastri

N. B. Chaudhary

Syed. M. Saadullah

Rohini K. Chaudhary

(K.) J. J. J. J. J.

Syed. M. Saadullah

M. S. Chaudhary

H. J. Khandekar

Sarani S. Bhatnagar
Biswanath Das

R. S. Sagar

M. S. Chaudhary

Lokeshwar Prasad

P. A. Mandoo

Nandakrishna Das

Rajendra Prasad
M. S. Chaudhary

Santosh Kumar Das
M. S. Chaudhary

S. S. Chaudhary

R. Chenzalaya Riddi.

K. Hammantony

Sankar Singh

Shankar Singh (H.P. Gurukul)

P. Siddalingaia

S. V. Krishnakumar, K.R.

U. Ramiah

H. D. D. S. S. S.

Dal mohan pati

Janardhan Das

M. M. Saad

M. A. Saad (Kashmir) - 24.1.1950

P. R. Beka

Balwantrao Jaita

U. H. H.

Jainendra Das

Ray Kamini - 24.1.1950

मिठ्ठम मिठ्ठम

Gotlall Bawa

Vinayakar B. Vaidya

ए. ए. ए. ए. ए.

Jaswant Singh

Sunder Singh of H.P.

Jaswant Das

D. S. S.

M. S. S. S.

Balwant Singh, H.P.

मिठ्ठम मिठ्ठम

मिठ्ठम मिठ्ठम

Amresh Pratap Singh

V. S. Saccate

Yadwinder Mishra

Rampasad Potai

Manoj Lal Das
Dusse di

Shamshu Nath Shukla
K.P. Tripathy

राधकृष्णदेव

Bejai Trnan

विश्वनाथ विद्यापीठ

Sitaban Singhal gajin
(गजिनसिंह)

Radhabalabha Vijaywasi
(विजयवसि)

Kinson Kaul jain
(काँल)

Rambhadr Lalit Prasad
(लालिप्रसाद)

Ranjit Singh

Ketan Bhargava

A. Manu Mal

S.S. Haldar

A. Mascaene

Chack

L. Prudhamed

L. Prudhamed

Thakur Lal Singh
Mama

Dhanwan. Ataluni

Gujra Sankar Guba
77 P. 100 730. 31

Jurij M. M. Chit

Expaldr. Guro

Singh Singh

Singh Singh

Singh Singh

Sochet Singh Anjala

Krishna Singh

Lati

Hrishmanani

Sachchidanand Sinha

B. R. K.

H. V. R. Jagan

Sachchidanand Sinha

Jerome D. Souza s. f.

Hankumbur Melal

Kanambur

Sunder Kall

George Guntli.

Calligraphed by *Shri Bhoji Narain Rajgode (Saxena) of Shree
Brij Bhoji Narain Rajgode of Delhi.
of Muz. Govan Bani (Rampur) Ill. Rampur.*

Illuminated by *Shri Mandatal Dixe and other artists of
Santniketan, Fouzdarati.*

Photolithographed at the Survey of India Offices,
Hathibarkala, Dehra Dun.

THE CONSTITUENT ASSEMBLY OF INDIA

Some Facts

- Members of the Constituent Assembly were chosen by indirect election by the members of the Provincial Legislative Assemblies, according to the scheme recommended by the Cabinet Mission. The arrangement was: (i) 292 members were elected through the Provincial Legislative Assemblies; (ii) 93 members represented the Indian Princely States; and (iii) 4 members represented the Chief Commissioners' Provinces. The total membership of the Assembly thus was to be 389. However, as a result of the partition of the country, a separate Constituent Assembly was set up for Pakistan and representatives of some Provinces ceased to be members of the Assembly. As on 23 August, 1949, the Constituent Assembly had 235 members representing the Provinces and 72 members representing the Indian States. Hyderabad, which was allotted 16 seats, did not send its representatives to the Constituent Assembly at any stage of its deliberations.
- Late in the evening of 14 August, 1947, the Assembly met in the Constitution Hall and at the stroke of midnight, took over as the Legislative Assembly of Independent India.
- The Constituent Assembly took almost three years—two years, eleven months and seventeen days to be precise—to complete its historic task of drafting the Constitution of Independent India*. During this period, the Constituent Assembly held eleven sessions. Out of these eleven sessions, the first six were spent in passing the Objectives Resolution and consideration of the Reports of Committees on Fundamental Rights, on Union Constitution, on Union Powers, on Provincial Constitution, on Minorities and on the Scheduled Areas and Scheduled Tribes. The seventh, eighth, ninth, tenth and eleventh sessions were devoted to the consideration of the Draft Constitution. These eleven sessions of the Constituent Assembly consumed 165 days.

Out of these, the Assembly spent 114 days for the consideration of the Draft Constitution*.

*C.A. Debates, 25 November, 1949

- The Drafting Committee was elected by the Constituent Assembly on 29 August. It held its first meeting on 30 August. Since 30 August, it sat for 141 days during which it was engaged in the preparation of the Draft Constitution. The Draft Constitution, as prepared by the Constitutional Adviser as a text for the Drafting Committee to work upon, consisted of 243 articles and 13 Schedules. The first Draft Constitution as presented by the Drafting Committee to the Constituent Assembly contained 315 articles and 8 Schedules. At the end of the consideration stage, the number of articles in the Draft Constitution increased to 386. In its final form, the Draft Constitution contained 395 articles and 8 Schedules. The total number of amendments to the Draft Constitution tabled was approximately 7,635. Of them, the total number of amendments actually moved in the House was 2,473.
- The Constitution of India was adopted on 26 November, 1949 and the members of the Constituent Assembly appended their signatures to it on 24 January, 1950. In all, 284 members actually signed the Constitution.
- The Constitution of India came into force on 26 January, 1950. On that day, the Assembly ceased to exist, transforming itself into the Provisional Parliament of India until a new Parliament was constituted in 1952.
- The expenses incurred on the Constituent Assembly up to 22 November, 1949 came to Rs. 63,96,729/-.
- No less than 53,000 visitors were admitted to the Visitors' Gallery during the period when the Constitution was under consideration.

**SESSIONS OF
THE CONSTITUENT ASSEMBLY**

First Session

9—23 December, 1946

Second Session

20—25 January, 1947

Third Session

28 April—2 May, 1947

Fourth Session

14—31 July, 1947

Fifth Session

14—30 August, 1947

Sixth Session

27 January, 1948

Seventh Session

4 November, 1948—8 January, 1949

Eighth Session

16 May—16 June, 1949

Ninth Session

30 July—18 September, 1949

Tenth Session

6—17 October, 1949

Eleventh Session

14—26 November, 1949

[The Assembly met once again on 24 January, 1950, when the members appended their signatures to the Constitution of India].

**IMPORTANT COMMITTEES OF
THE CONSTITUENT ASSEMBLY
AND THEIR CHAIRMEN**

| <i>Name of the Committee</i> | <i>Chairman</i> |
|---|---|
| Committee on the Rules of Procedure | <i>Dr. Rajendra Prasad</i> |
| Steering Committee | <i>Dr. Rajendra Prasad</i> |
| Finance and Staff Committee | <i>Dr. Rajendra Prasad</i> |
| Credentials Committee | <i>Alladi Krishnaswami Ayyar</i> |
| House Committee | <i>Dr. B. Pattabhi Sitaramayya</i> |
| Order of Business Committee | <i>Sbri K. M. Munsbi</i> |
| Ad hoc Committee on the National Flag | <i>Dr. Rajendra Prasad</i> |
| Committee on the Functions of the Constituent Assembly | <i>Sbri G. V. Mavalankar</i> |
| States Committee | <i>Pandit Jawabarlal Nebru</i> |
| Advisory Committee on Fundamental Rights, Minorities and Tribal and Excluded Areas | <i>Sardar Vallabhbhai Patel</i> |
| Minorities Sub-Committee | <i>Dr. H. C. Mookerjee</i> |
| Fundamental Rights Sub-Committee | <i>Sbri J. B. Kripalani</i> |
| North-East Frontier Tribal Areas and Assam Excluded & Partially Excluded Areas Sub-Committee | <i>Sbri Gopinath Bardoloi</i> |
| Excluded and Partially Excluded Areas (other than those in Assam) Sub-Committee | <i>Sbri A. V. Thakkar</i> |

| <i>Name of the Committee</i> | <i>Chairman</i> |
|--|------------------------------------|
| Union Powers Committee | <i>Pandit Jawabarlal Nebru</i> |
| Union Constitution Committee | <i>Pandit Jawabarlal Nebru</i> |
| Drafting Committee | <i>Dr. B.R. Ambedkar</i> |
| <i>Ad hoc</i> Committee on the Supreme Court | <i>Sbri S. Varadachari*</i> |
| Provincial Constitution Committee | <i>Sardar Vallabhbhai Patel</i> |
| Committee on Chief Commissioners' Provinces | <i>Dr. B. Pattabhi Sitaramayya</i> |
| Expert Committee on the Financial Provisions of the Union Constitution | <i>Sbri Nalini Ranjan Sarkar*</i> |
| Linguistic Provinces Commission | <i>Sbri S.K. Dar*</i> |

Besides, on January 7, 1947, the President of the Constituent Assembly appointed by an Executive Order a Press Gallery Committee to advise him in regard to the allotment of passes to Press correspondents for the Press Gallery of the House. The Committee, with Usba Nath Sen of the Associated Press of India as its Chairman, consisted of the representatives of the Press.

*Not a member of the Constituent Assembly

**STATE-WISE MEMBERSHIP OF THE
CONSTITUENT ASSEMBLY OF INDIA**

(As on 23 August, 1949)

PROVINCES—235

| | <i>No. of Members</i> |
|---------------------|-----------------------|
| 1. MADRAS | 49 |
| 2. BOMBAY | 21 |
| 3. WEST BENGAL | 21 |
| 4. UNITED PROVINCES | 55 |
| 5. EAST PUNJAB | 16 |
| 6. BIHAR | 36 |
| 7. C.P. AND BERAR | 17 |
| 8. ASSAM | 8 |
| 9. ORISSA | 9 |
| 10. DELHI | 1 |
| 11. AJMER-MERWARA | 1 |
| 12. COORG | 1 |

INDIAN STATES—72

| | |
|------------|---|
| 1. MYSORE | 7 |
| 2. KASHMIR | 4 |
| 3. BARODA | 3 |
| 4. JODHPUR | 2 |
| 5. JAIPUR | 3 |

| | <i>No. of Members</i> |
|---|-----------------------|
| 6. BIKANER | 1 |
| 7. KOLHAPUR | 1 |
| 8. MAYURBHANJ | 1 |
| 9. SIKKIM-COOCH BEHAR | 1 |
| 10. TRIPURA, MANIPUR AND KHASI STATES | 1 |
| 11. RAMPUR-BANARAS | 1 |
| 12. ORISSA STATES | 4 |
| 13. C.P. AND BERAR STATE | 3 |
| 14. MADRAS STATES | 1 |
| 15. BOMBAY STATES | 4 |
| 16. HIMACHAL PRADESH | 1 |
| 17. UNITED STATE OF KATHIAWAR (SAURASHTRA) | 4 |
| 18. UNITED STATE OF MATSYA | 2 |
| 19. UNITED STATE OF RAJASTHAN | 4 |
| 20. UNITED STATE OF VINDHYA PRADESH | 4 |
| 21. UNITED STATE OF GWALIOR- INDORE-MALWA (MADHYA BHARAT) | 7 |
| 22. PATIALA AND EAST PUNJAB STATES UNION | 3 |
| 23. UNITED STATE OF TRAVANCORE AND COCHIN | 7 |
| 24. CUTCH | 1 |
| 25. JUNAGADH | 1 |
| 26. RESIDUARY STATES | 1 |

VANDE MATARAM

Vandé Mataram!
Sujalam, suphalam, malayaja shitalam,
Shasyashyamalam, Mataram!
Shubhrajyotsna pulakitayaminim,
Phullakusumita drumadala shobhinim,
Suhasinim, sumadhura bhashinim,
Sukhadam, varadam, Mataram!
Trimshakotikantha kalakala ninada karalé
Dvi trimshakoti bhujair dhrita-khara karavalé
Abala kena ma eta balé!
Bahubala dharinim, namami tarinim,
Ripudalavarinim Mataram!
Tumi vidya, tumi dharma,
Tumi hridi, tumi marma,
Tvam hi pranah shariré!
Bahuté tumi ma shakti,
Hridayé tumi ma bhakti,
Tomari pratima gari mandiré mandiré!
Tvam hi Durga dashapraharana dharini,
Kamala, kamaladalavihararini,
Vani, vidyadayini, namami tvam,
Namami, Kamalam, amalam, atulam,
Sujalam, suphalam, Mataram,
Vandé Mataram!
Shyamalam, saralam, susmitam, bhushitam,
Dharanim, bharanim, Mataram!

SARE JAHAN SE ACHCHHA

Tarana-I-Hind

Sare jahan se achchha Hindustan hamara,
Ham bulbulen hain iski yeh gulsitan hamara!
Ghurbat men hon agar ham rehta hai dil watan men,
Samajho wahin hamen bhi dil ho jahan hamara!
Parbat woh sab se uncha hamsaya asman ka,
Woh santari hamara, woh pasban hamara!
Godi men khelti hain iski hazaron nadiyan,
Gulshan hai jinke dam se rashke jinan hamara!
Aiy ab-e-rood-i-Ganga! woh din hain yad tujhko,
Utra tere kinare jab karavan hamara!
Majhab nahin sikhata apas men bair rakhna,
Hindi hain ham watan hai Hindustan hamara!
Yunan-o-Misr-o-Roma sab mit gaye jahan se,
Ab tak magar hai baqi nam-o-nishan hamara!
Kuchh bat hai ki hasti mitthi nahin hamari,
Sadiyon raha hai dushman daur-i-zaman hamara!
Iqbal koi mehram apna nahin jahan men,
Maloom kya kisi ko dard-i-nihan hamara!

JANA GANA MANA

Jana-gana mana-adhinayaka, jaya he
Bharata-bhagya-vidhata.

Punjab-Sindhu-Gujarata-Maratha
Dravida-Utkala-Banga

Vindhya-Himachala-Yamuna-Ganga
Uchchala-Jaladhi-taranga.

Tava shubha name jage,
Tava shubha asisa mage,

Gahe tava jaya gatha,

Jana-gana-mangala-dayaka jaya he
Bharata-bhagya-vidhata.

Jaya he, jaya he, jaya he,

Jaya jaya jaya, jaya he !

**ADDRESSES AT THE COMMEMORATIVE
FUNCTIONS HELD IN THE CENTRAL HALL
OF PARLIAMENT HOUSE**

**ADDRESSES AT THE FUNCTION TO MARK THE
FIFTIETH ANNIVERSARY OF THE FIRST SITTING
OF THE CONSTITUENT ASSEMBLY**

(9 DECEMBER, 1996)

A function to commemorate the Fiftieth Anniversary of the First Sitting of the Constituent Assembly was held in the Central Hall of Parliament House on 9 December 1996. The function commenced with the playing of the National Anthem. The President of India, Dr. Shanker Dayal Sharma presented mementoes to those members of the Constituent Assembly who were present on the occasion. The President also unveiled a Commemorative Plaque in the Central Hall. The function concluded with the playing of the National Anthem. The entire programme was telecast and broadcast live. A booklet containing a reproduction of the proceedings of the first day's sitting of the Constituent Assembly, a few photographs and some interesting information about its sittings, compiled by the Parliament Library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat, was brought out on the occasion.

The distinguished gathering in the Central Hall was addressed by the President, Dr. Shanker Dayal Sharma; the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan; the Prime Minister, Shri H.D. Deve Gowda; and the Speaker, Lok Sabha, Shri P.A. Sangma. The texts of the Addresses delivered by the dignitaries at the function are reproduced below.

**ADDRESS BY THE SPEAKER, LOK SABHA,
SHRI P. A. SANGMA**

Respected Rasbtrapatiji and Distinguished Guests:

This day, fifty years ago, was historic. Beginning was made in these premises for the establishment of the supreme law of our land, our Constitution. It is a matter of great pride, of honour for us, to commemorate that beginning. Let me first of all pay homage, on this occasion, to all the departed members of the Constituent Assembly.

Dr. Shanker Dayal Sharma, our Honourable President, by his own right, is a legal luminary, a constitutional expert and a renowned exponent of the Rule of Law. Sir, you symbolise everything that the framers of our Constitution visualised in the holder of our Presidency. You belong too, to the very generation of our special guests of the day, members of the Constituent Assembly who are present here. It is a matter of historic coincidence that you would be honouring them. Sir, I have great pleasure in welcoming you.

Vice-President, Shri K.R. Narayanan, with his strong background in professional diplomacy and hailing as he does from the State of Kerala, the land of literacy, equity and social justice, has distinguished himself in the Office of the Chairman, Rajya Sabha, which has been vested with special dignity by the Constituent Assembly. His presence today with us is a matter of special encouragement for all of us. I extend a hearty welcome to him.

One of the public debates today concerns the future of parliamentary form of Government in our country. Opinions are being often voiced now that the Presidential form may, perhaps, be more suited for us. The framers of our Constitution did give serious thought to the matter. They opted for a parliamentary form on the conviction that in our conditions, responsibility of the Executive should be given the paramount consideration. We have had successful examples of governance through coalition which have proved that responsible Governments can be stable as well. The task before the Prime Minister, Shri H.D. Deve Gowda today is one of providing stability through responsibility. I welcome him to this function with great pleasure.

Dr. (Smt.) Najma Heptulla, the Deputy-Chairman of the Rajya Sabha, not merely represents the aspirations of the women of India today; she has brought laurels to the Indian Parliament in her capacity as a dynamic member of the Executive Committee of the Inter-Parliamentary Union. My special welcome to her as well as to my able and worthy colleague, Shri Suraj Bhan, the Deputy Speaker, Lok Sabha.

The heritage handed to us by the Constituent Assembly is priceless. This heritage is of a secular, democratic, republican model, characterised by universal adult franchise, guarantee of Fundamental Rights, linguistic balance, equity and social justice, parliamentary form, independence of the Judiciary and recognition of unity in diversity in which the federal principle is subsumed. All these features are enshrined in the historic "Objectives Resolution" moved by Pandit Jawaharlal Nehru and adopted by the Constituent Assembly. President Andrew Jackson of the United States observed about his country's Constitution: "Perpetuity is stamped upon the Constitution by the blood of our fathers." This is true of our Constitution as well. It is with these feelings flowing from my guts that I welcome the eight members of the Constituent Assembly present here with us today. These members are Begum Aizaz Rasool and Sarvashri S. Nijalingappa, C. Subramaniam, Chowdhari Ranbir Singh, Motiram Baigra, Kusum Kant Jain, Balwant Singh Mehta and Bhagwan Din. Let us honour them with a hearty and standing ovation.

There are other members of the Constituent Assembly who are not present here with us today—Shrimati Renuka Ray and Shrimati Malati Chowdhuri and Sarvashri R.B. Kumbhar, M.R. Masani, B. Gopala Reddy, L. Krishnaswami Bharati and M.A. Sreenivasan. Let us felicitate them *in absentia*.

I welcome all the members of Parliament, many of whom have, over the years, dedicated themselves to, and toiled for, the preservation of our Constitution and its underlying ideals. Let me welcome everyone to whom I have not made specific reference and is present here to honour the special guests.

Dr. Ambedkar stated in November 1949, and I quote:

If hereafter things go wrong, we will have nobody to blame except ourselves. There is great danger of things going wrong. Times are fast changing. People including our own are being moved by new ideologies. They are prepared to have Government for the people and are indifferent whether it is Government of the People and by the People...Let us not be tardy in the recognition of the evils which...induce people to prefer Government for the People to Government by the People.

I am confident that we will not fail Dr. Ambedkar.

Thank you for your kind attention.

Jai Hind.

ADDRESS BY THE PRIME MINISTER, SHRI H. D. DEVE GOWDA

Respected Rashtrapatiiji, Respected Up-Rashtrapatiiji, Shri P.A. Sangma, Honourable Speaker of the Lok Sabha, Dr. Najma Heptulla, Deputy Chairman of the Rajya Sabha, Honourable Members of Parliament, Distinguished Guests, Ladies and Gentlemen:

We have assembled to commemorate a great event which occurred in the Central Hall of our Parliament 50 years ago this day. The Founding Fathers' meeting was historic and signified a break from the past and brought the tidings in new India. It marked a great change. India was on way to find its place among the free nations of the world, set to fashion its own destiny.

At its first sitting, 207 members of the Constituent Assembly took oath, including a galaxy of noble sons of India like Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel, Dr. Rajendra Prasad, C. Rajagopalachari and many others. We are fortunate that 15 out of those eminent persons are still present amongst us. We have assembled here today not only to commemorate the event of 50 years ago but also to honour these great sons of our country, who brought the country to the historical moment when our people could sit together and draft and frame their own Constitution.

That India's political destiny should be determined by Indians themselves had been demanded by Mahatma Gandhi as early as 1922, when he said, "Swaraj will not be a free gift of the British Parliament; it will be a declaration of India's full self-expression." The idea of a Constituent Assembly being the proper method for the framing of a Constitution for free India had dawned on public consciousness in our country much before the Constituent Assembly came into being. Mahatma Gandhi had demanded a Constituent Assembly composed of the 'free chosen representatives' of the people of India.

A Constitution is an act of the people, not of a Government. It is the fundamental law of the land and embodies the legal framework of a nation. It regulates the functioning of the Government and its agencies. Constitutions come into being through evolution, by fiat or through deliberations of an Assembly. A Constituent Assembly is a democratic device for formulating and adopting a new Constitution by a free society. It implies the right of the people to determine their own destiny and decide the nature and type of polity under which they would like to live. The origin and growth of the idea of a Constituent Assembly to frame a Constitution for free India are intimately interwoven into the fabric of the Indian Independence Movement. The Constituent Assembly gave us the Constitution, which is a wonderful politico-legal document and is primarily shaped and moulded for the common man. It is an instrument of modernisation and development. It enshrines the aspirations of "We, the People of India". The Preamble of our Constitution declared to secure to all its citizens "justice, social, economic and political". This is the prime aspiration of our Constitution. Article 38 in the same vein commands the State to strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of national life.

The Constitution believes in the distribution of wealth while encouraging creation of wealth by enterprising individuals. It permits legislation for redistribution of wealth. Article 39 commands the State to see that citizens have an adequate means of livelihood and that the ownership and control of the material resources of the country subserve the common good. Parts III and IV of the Constitution pertaining to Fundamental Rights and Directive Principles of State Policy constitute the conscience of our Constitution and of the people.

Our political revolution ended with Independence. The social and economic revolutions are yet to run their full course. Without socio-economic justice and equality, political freedom is meaningless to the masses. As Gandhiji had said, "political freedom was only the first step towards *Swaraj*". The message of our Constitution also is that political freedom is not an end in itself; it is only the means to achieve socio-economic justice and equality.



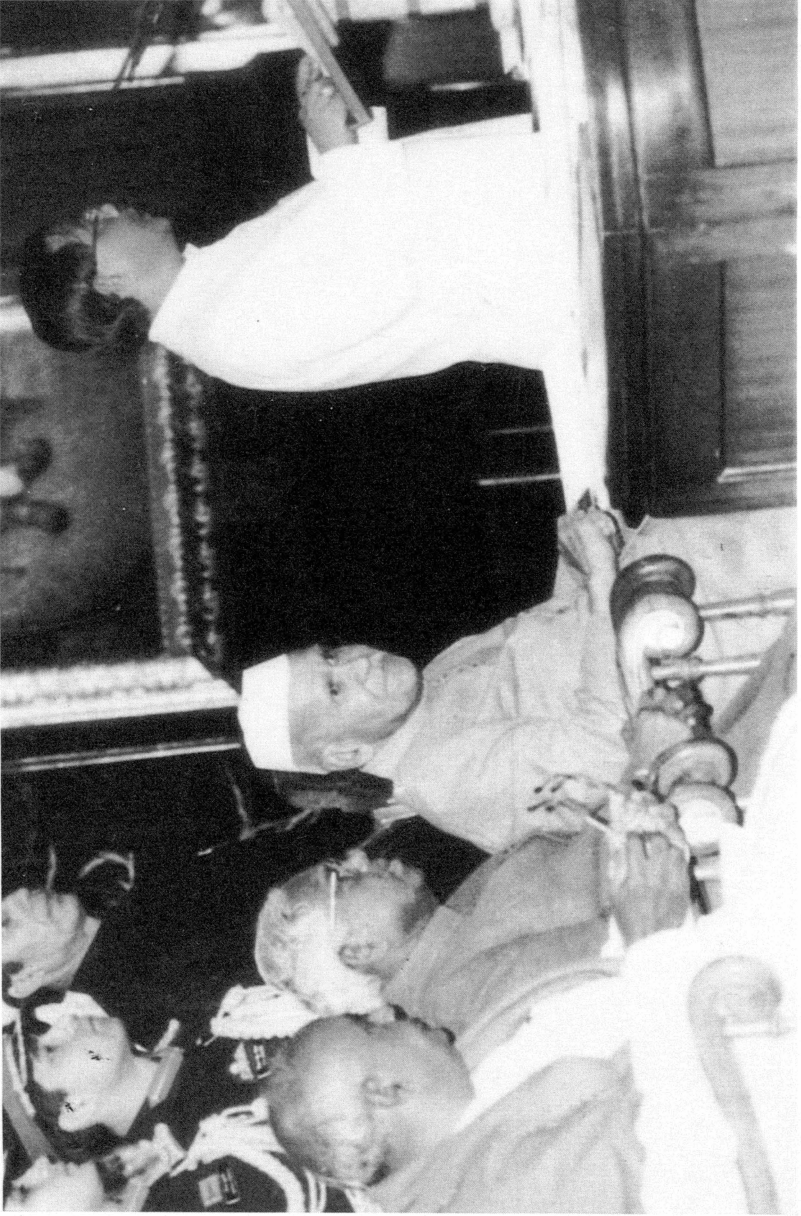
The President, Dr. Shanker Dayal Sharma addressing the distinguished gathering at the function to mark the Fiftieth Anniversary of the first sitting of the Constituent Assembly of India



The Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan delivering his Address



The Prime Minister, Shri H.D. Deve Gowda addressing the gathering



The Speaker, Lok Sabha, Shri P.A. Sangma addressing the gathering

All over the world, the need for changing the Constitution is felt as society moves forward. We have made as many as 78 amendments to our Constitution since its commencement on 26 January 1950, most of them to effectively deal with social and economic problems peculiar to our nation. Some of these amendments relate to provisions concerning land reforms, including the abolition of *Zamindaris*, advancement of socially and educationally backward classes of citizens, extension of duration of reservation of seats in the House of the People and the State Legislative Assemblies for the Scheduled Castes and the Scheduled Tribes, abolition of privy purses and privileges of the rulers of the erstwhile princely states, setting up of administrative and other tribunals, checking defections, lowering of voting age from 21 to 18 years, creation of the National Commission for the Scheduled Castes and the Scheduled Tribes, and strengthening Panchayat Raj Institutions and the Urban Local Bodies to enable them to perform effectively as vibrant units of self-Government.

Having provided reservation for women in Panchayats and Municipalities, the Government has recently introduced a Constitutional Amendment Bill in Parliament for providing reservation for women, also in the Lok Sabha and the State Legislative Assemblies, in deference to the view of the major political parties and the Common Minimum Programme of the United Front Government.

Nevertheless, today, even after more than 46 years of the working of our Constitution, after it has gone through various amendments, we still stand at a crossroad. Our development has been lopsided. A large section of our people is still without adequate means of livelihood. We have not yet achieved socio-economic justice and equality for our weaker sections. Poverty, and all what it means, is still haunting the lives of a large number of our people. Despite impressive achievements in many fields, many people do not have water to drink, many cannot afford to give education to their children, many are without jobs, many without a roof over their heads. Justice seems to elude the people while cases pile up in our courts. We have not been able to achieve many avowed purposes for which our Constitution was enacted.

Has the Constitution failed us or "We, the people of India" have failed the Constitution? One often hears demands for radical reforms of the Constitution. Before we consider any such idea, we must recall the words of Dr. Rajendra Prasad: "After all, Constitution, like a machine is a lifeless thing; it acquires life because of the men who control it and operate it". If we do not live up to the mandate of the Constitution, the Constitution should not be blamed. All constitutional functionaries should perform their duties under the Constitution in the true spirit of its provisions.

At this hour, when we complete 50 years, we have to ponder and introspect what we have achieved and what we have not been able to achieve. The sacrifices made by our leaders have cast a heavy burden of responsibility on our shoulders. We have to redeem the pledge of our forefathers who dreamt of a vibrant and progressive India. While celebrating the Fiftieth Anniversary of the birth of the Constituent Assembly, this onerous responsibility has been cast on all of us and we have to discharge it to the best of our ability. We wish that this event does not remain merely a celebration, but gives us an opportunity to critically examine the milestones of our progress, our successes and our failures, and help us work more for the progress and welfare of the people. The Constitution is after all meant for them. So should be our endeavours.

Jai Hind.

ADDRESS BY THE VICE-PRESIDENT OF INDIA AND CHAIRMAN, RAJYA SABHA, SHRI K.R. NARAYANAN

Respected Rashtrapatiji, Honourable Prime Minister, Honourable Speaker, Respected Founding Fathers present, Honourable Ministers, Members of Parliament and Friends:

The meeting of the Constituent Assembly on 9 December 1946 was an epoch-making event in our history. A Constituent Assembly to determine India's future was the demand and the dream of the Indian nationalist movement. Gandhiji saw it as "an effective substitute for civil disobedience" for the realisation of India's future. Nehru spoke of it as the expression of "the magic of the human spirit and a nation's passion". K.M. Munshi wrote that through it India hoped to "find its own soul to express through fundamental laws". So when it met on December 9th, it was an event as historic and exhilarating as the great American or the French Constituent Assembly. It reflected, as Nehru put it, "India's mighty past and mightier future", and as Dr. B.R. Ambedkar sought, "the objective of social equality".

The Constitution that emerged from the nearly three years of debates and deliberations in the Assembly was a unique product of India's genius, its conditions, its compulsions, and the philosophy and principles to which it was wedded through the ages past. It embodied the liberal democracy of the parliamentary variety; it contained a powerful current of socialist ideas; and it reflected the pervasive influence of India's traditions and especially Gandhian thoughts and ideas. The evolution of India's constitutional, political, social and economic system has been marked by the dialectical interaction among these different but interrelated aspects of democracy. It is a process still ongoing and it produced the outlines of a system that is harmoniously eclectic and uniquely Indian. It also captured in the modern

form of a federal set-up, the age-old concept of unity in diversity pervaded by the spirit of tolerance and co-existence. It contained in the totality of its provisions a blend of diverse ideological provisions such as nationalism, secularism, liberalism and socialism, all anchored in the cultural and philosophical roots of our civilisation. The makers of our Constitution were beckoned by the vision of a new India standing up to its full stature, uplifting the millions of its people from the depth of poverty, diseases, ignorance and inequalities and social evils into which it had fallen. It also envisaged, as the Objectives Resolution moved in the Assembly proclaimed, that "this ancient land attains its rightful and honoured place in the world and makes its full and willing contribution to the promotion of world peace and welfare of mankind".

It is to recall the first meeting of the Constituent Assembly that made such a momentous Charter for free India that we are gathered in this august Assembly here this morning. We are paying our grateful homage to those great men and women who fought for our freedom and Independence, sacrificed so much and thought so deeply and so far ahead of the destiny of this nation. Fortunately, some of those among that galaxy of men and women are still with us and we offer them our sincere gratitude, our tributes, and our good wishes.

On this solemn occasion we must reflect upon the meaning and significance of this Golden Jubilee Celebrations. Have we proved ourselves worthy of this heritage? Have we safeguarded the constitutional edifice so laboriously built by our founding fathers? It has, in spite of many amendments, served the country exceedingly well. It has certainly been an instrument in reconciling radical elements in our body politic into a national consensus. Many groups and parties which came into the political arena to dissent and to demand separation have remained to cooperate and have found accommodation within its broad bosom. In this sense the Indian Constitution reflected the traditional genius of India to find essential unity in diversity. I am confident that this reconciling and unifying process is still active in our polity and this Parliament maintains its wonderful capacity to soften and to blunt the rough edges of even radical differences to create a consensus on issues that touch upon our basic national interests and principles. This is the greatest tribute to the farseeing wisdom of those who were in the Constituent Assembly on this day in 1946.

Our political scene is in a state of fragmentation today. It is perhaps something like a broken mirror. And yet the image of India can be seen in each tiny bit and it is possible to put the broken pieces together. One does not worry on that score, therefore. But we should worry about the deterioration of the values and the

norms that the founding fathers upheld and enshrined in the Constitution. Today, Indian politics is facing a crisis of values and a crisis of standards of behaviour. If we turn our attention to this basic question and reflect upon possible ways in which this deterioration can be stemmed, we would have celebrated the Golden Jubilee of the first meeting of the Constituent Assembly in a meaningful manner.

ADDRESS BY THE PRESIDENT OF INDIA, DR. SHANKER DAYAL SHARMA

Sbri K.R. Narayanan, Vice-President of India; Sbri H.D. Deve Gowda, Prime Minister of India; Sbri P.A. Sangma, Speaker, Lok Sabha; Distinguished Members of the Constituent Assembly; Freedom Fighters, Members of Parliament and Friends:

It gives me immense pleasure to participate in this function to commemorate the Fiftieth Anniversary of the first sitting of the Constituent Assembly of India.

On behalf of the nation, I pay tribute to all members of the Constituent Assembly. Their painstaking efforts provided India with the basic legal and ethical framework for progress and development.

It is also my privilege to felicitate some members of the Constituent Assembly who are with us today.

The 9th of December, like the 9th of August, is important in the history of our long struggle for freedom. Indeed, the demand for a Constituent Assembly was intrinsically linked to our larger goal of freedom and Independence. The Resolution for *Purna Swaraj* in 1929 had aroused great nationalist fervour and galvanized the people to take part with renewed vigour in the freedom movement. The clear and unambiguous articulation of this deep-rooted longing of the people of India to be in control of their own destiny contained within itself the idea of a democratic Constitution which would provide a framework for the governance of independent India by the Indian people. Clearly, such a Constitution could only be drawn up by the elected representatives of the people of India. It was from this unassailable logic that the demand for a Constituent Assembly was articulated by Pandit Jawaharlal Nehru. The proposal was accepted by the Indian National Congress in 1934, whereafter it became a significant part of the nationalist agenda for independent India. Mahatma Gandhi himself fully endorsed this proposal. Writing in the *Harijan* on 25 November 1939, he said:

Pandit Jawaharlal Nehru has compelled me to study, among other things, the implications of a Constituent Assembly. When he first introduced it in the Congress resolutions, I reconciled myself to it because of my belief in his superior knowledge of the technicalities of democracy. But I was not free from scepticism. Hard facts have, however, made me a convert and, for that reason perhaps, more enthusiastic than Jawaharlal himself.

It was to take seven more years before the Constituent Assembly became a reality. This was a period which saw dramatic developments not merely in India but throughout the world. In India, our freedom struggle was at its peak in 1942 during the historic Quit India Movement. Internationally, there was a fundamental transformation in the geo-political situation after the Second World War. The world was in a state of flux when our peaceful and non-violent struggle attained success. It was a struggle led by women and men of character, leaders who had braved the trials and tribulations of colonial rule and had undergone tremendous suffering and hardship.

It was our beloved leaders who belonged to the masses, individuals with deep knowledge and learning and imbued with the values of our civilization, who were elected to participate in the Constituent Assembly. They had a broad global vision which encompassed all humanity and sought to harmonize the great spiritual values of our culture with the modern dynamic approach of other traditions.

The values of our ethos and their own experiences during the freedom struggle spurred the constant striving of our people for the ideals of liberty, equality, justice, respect for human dignity and democracy. These ideals, the goals and values of the freedom struggle form the real essence, the life-breath of our Constitution and are enshrined in the Preamble.

Already, in the decades before Independence, our people were giving thought to their vision of an independent India. Pandit Motilal Nehru drafted the well-known Nehru Report on the Constitution of free India. The Karachi Session of the Indian National Congress held in March 1931 adopted the famous Resolution moved by Mahatma Gandhi which contained our Charter of Fundamental Rights. It is against this historical backdrop of a long and arduous struggle and the crystallization of our vision of a sovereign, democratic nation that the first session of the Constituent Assembly was held in 1946, when, as Panditji said, we embarked on "the high adventure of giving shape, in the printed and written word, to a nation's dream and aspiration."

There was a sense of mission in the members of the Constituent Assembly to draft a Constitution which would preserve the pluralism and essential oneness, and the unity and integrity of India. Our Constitution ensures that India remains a secular state. People belonging to different religious denominations who are all part of our vibrant pluralistic society, are guaranteed the freedom to practice their own religions. I might add that these Rights under our Constitution are available even to those who are not citizens of India.

Our Constitution is not merely a political document which provides the framework and institutions for democratic governance—our Parliament, the Executive and the Judiciary. It provides a framework for the economic and social emancipation of society and particularly, the poor, the underprivileged and the downtrodden. As Granville Austine had said, “the core of the commitment to a social revolution lies in Parts III and IV of the Constitution, in the Fundamental Rights and in the Directive Principles of State Policy. These are the conscience of the Constitution.” It is of profound import that the Fundamental Rights are enforceable by the Courts of Law. Article 32 of the Constitution guarantees the implementation of these Rights. This is a very crucial safeguard against excesses by executive authority and casts a very heavy responsibility on our Judiciary, a vital pillar of our democratic polity, to ensure that fundamental human rights and freedoms are guaranteed.

When our Constitution was adopted on 26 November 1949, our statesmen and visionaries had said that the Constitution is as good or bad as people who were entrusted to administer it, wish it to be. The Chairman of the Drafting Committee, the brilliant jurist, Dr. Babasaheb Ambedkar, speaking a day before the adoption of the Constitution had said, and I quote:

The working of a Constitution does not depend wholly upon the nature of the Constitution...The factors on which the working of (the) organs of State depend are the people and the political parties they will set up as their instruments to carry out their wishes and their politics.

India has been fortunate to have leaders of outstanding calibre. They brought to bear the profound moral and ethical values of our ethos to the functioning of the institutions of our parliamentary democracy. In this way they ensured that democracy flourished and developed even stronger roots in our society. Many of you would recall the great care and attention, the interest and personal involvement of Pandit Jawaharlal Nehru in the work of the Parliament, the jewel in the crown of democracy.

During the last five decades, India can rightly be proud to have safeguarded and enlarged the gains of freedom. We have provided flesh and blood to the constitutional edifice bequeathed to us by the founding fathers of the Constitution. Our Constitution has given us the framework for a strong nation, a Union of States; a nation of harmony between the Union and States and among the various institutions of our democratic polity. We can claim to have achieved significant success in the diverse and interconnected spheres of democratic governance, our Parliament, the Executive and the Judiciary. The philosophy of the Constitution nurtures a polity where the precepts and practices of democracy can become second nature to the people. Through the elections to eleven Lok Sabhas, the people of India have repeatedly displayed their determination to fulfil their duties as responsible citizens of the Republic.

Our Parliament is the pre-eminent institution of our polity. Members of Parliament are the true representatives of the people and it is the people's interests which they articulate in the context of a larger and broader national vision. As Panditji said in the Lok Sabha on 21 December, 1955, I quote; "(Members of Parliament) are not only Members of this or that particular area of India, but each Member of Parliament is a Member for India and represents India..." Our constitutional framework has also resulted in the economic progress and the social emancipation of society. Effective representation is provided to the socially depressed groups in Legislatures and steps are under way to ensure a strong representation for women. In recent years, we have provided a new impetus to our Panchayati Raj institutions. This has fostered the participation of the people at the grassroots level in our democratic processes in a very tangible and effective manner.

If we look at nations around us, we can rightly be proud of our resilient, living Constitution which has adapted over time to changing circumstances, needs and requirements. Indeed, it has become a model for Constitutions in other countries.

I believe this is an important occasion for all of us to contemplate ways and means of improving the functioning of the institutions of our democratic polity. We should bring the meaning and import of the Constitution closer to the common man. This would be possible if we take up the challenge of making our institutions, our administration and systems of work, more and more directly accountable and fully mindful and sensitive to the needs and feelings of our people.

We must all comprehend the importance of unity, the true significance of canons of propriety and the value of having the freedom to voice different viewpoints which, indeed, are the hallmarks of any pluralistic society. As our sages of yore said, our aims are common, our endeavours common, and there are diverse ways to reach our goals.

At this moment in our history, as we prepare to step into a new century and millennium, let us all ask ourselves what our goals and tasks are as citizens of this great and ancient nation striving to develop and modernise. What are our responsibilities in nation building? How best can we discharge them? The answers are not far, nor difficult to seek. Many have been provided to us by the life and work of the great stalwarts who have preceded us. We also find them in our tradition of selfless service and sacrifice and in the timeless moral and ethical ideals of our society. Let us draw inspiration from Bapu's life and work and live up to his message of *Anasakti* and *Nishkaam Karm*, that is selfless service and service without regard to the fruits of action.

This anniversary provides an opportunity for every one of us, every citizen of India, to renew the pledge to work for *Purna Swaraj* with full implications, that is, for the well-being of the common man, for peace and harmony in our society and indeed, the whole world.

Jai Hind.

**ADDRESS BY THE PRESIDENT OF INDIA, SHRI K.R. NARAYANAN
AT THE COMMEMORATIVE FUNCTION OF THE GOLDEN JUBILEE
OF INDIA'S INDEPENDENCE**

(14-15 AUGUST, 1997)

A commemorative function to mark the Golden Jubilee of India's Independence was held in the midnight of 14-15 August 1997 in the Central Hall of Parliament House. The function commenced with the playing of the National Anthem. Later, the distinguished invitees stood in silence for a short while as a mark of respect to the memory of the martyrs. This was followed by a rendering of the National Song Vande Mataram by Pandit Bhimsen Joshi. Subsequently, excerpts from the speeches of Mahatma Gandhi, Pandit Jawaharlal Nehru and Netaji Subhas Chandra Bose were played. After that, the patriotic song Saare Jahan Se Achcha Hindustan Hamara was sung by Lata Mangesbkar. The President of India, Shri K.R. Narayanan then addressed the distinguished gathering. The Hindi version of the President's Address was subsequently read out by the Prime Minister, Shri I.K. Gujral. This historic function concluded with the playing of the National Anthem. The entire Programme was telecast and broadcast live throughout the nation.

A booklet carrying the proceedings of the Midnight Session of 14 August 1947, the sitting of the Constituent Assembly of 15 August 1947, the texts of the Jana Gana Mana, Vande Mataram and Saare Jahan Se Achcha and also a few select photographs capturing the historic moments of 14-15 August 1947, brought out by the Library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat, was distributed among the invitees.

The text of the Address by the President of India on the occasion is reproduced below.

**ADDRESS BY THE PRESIDENT OF INDIA,
SHRI K.R. NARAYANAN**

Fellow Citizens, Sisters and Brothers, Friends,

This midnight hour, thronged with memories of the past and throbbing with significance for the future, is a golden moment in the history of India and the world. Fifty years ago, at this very moment, a new age of freedom dawned for India, and as Jawaharlal Nehru put it, "the soul of a nation, long suppressed, found utterance". It was also the beginning of the end of colonialism in the world.

On the fiftieth anniversary of this historic event, it is my privilege to extend to all Indians throughout the length and breadth of the motherland, and to all Indian nationals living abroad, my heartiest greetings and felicitations. I also send my greetings to the brave soldiers of our armed forces who stand guard over the remote frontiers of our land. At this moment of the midnight, let us bow our heads to *Bharat Mata*, whose children we are, and take a vow to serve her and the people of India regardless of caste, class or creed, religion, language or region.

On this solemn occasion, we remember the countless men and women, the peasants, workers and the youth of India, who suffered untold hardships and sacrificed their careers and even their lives for the freedom and independence of the nation. We pay our homage to Mahatma Gandhi, the Father of the Nation, to Netaji Subhas Chandra Bose and the Indian National Army and the great men like Jawaharlal Nehru, Sardar Vallabhbhai Patel, Rajendra Prasad, Maulana Abul Kalam Azad and a galaxy of others. We also remember and pay our tribute to the founding fathers of our Constitution and the Chairman of its Drafting Committee, Baba Saheb Dr. B.R. Ambedkar, who championed the cause of the downtrodden and the most exploited classes of people in our society, and who reminded us in the Constituent Assembly that "social and economic democracy are the tissue and the fibre of political democracy".

At this moment we cannot forget the tragedy and the trauma of Partition that cast a shadow on the first Independence celebrations, but as Nehru said on the occasion "...the past is over and it is the future that beckons to us now". That future seems to have now arrived with India playing its part in co-operation systems in South Asia, Asia and the world.

It is pertinent to reflect and ask on this occasion what we have achieved as a nation during the half century of our Independence, and what have been our short-comings and failures. I have no hesitation in telling you, my fellow citizens, that our achievements have been impressive in spite of many failures. First and foremost, we have succeeded in maintaining the unity of the nation and kept this vast country together. It is for the first time in our history that we have been able to put an economic content into the dream of unity that has haunted the mind of India over the ages and establish economic ties of interdependence between the diverse parts of the country. It is by clinging to our cultural values and our traditions of tolerance, to our composite culture and secularism and to our economic and social development programmes, that we can maintain our unity. It is from this domestic base that our armed forces defended with valor the territorial integrity of the country during the last five decades.

The greatest achievement of India since Independence has been the establishment of a democratic system of Government and politics. Indian democracy is the product of a complexity of factors. Several strands of thought and experience have gone into it: western liberal and parliamentary ideas, socialist concepts, the deeply rooted traditions of India, both Hindu and Buddhist and the ideas and methods propagated by Mahatma Gandhi like the panchayat system and democratic decentralisation. In the inter play and inter-penetration of these ideas and methods, a distinctly Indian variety of democracy has been in the making that is not only important to India but relevant to the new world of pluralism that is emerging. Besides, the revolutionary implications of universal adult suffrage that we adopted are unfolding themselves today. The lower and poorer sections of society and the women are being drawn into the political system as active players. The time is overdue for meeting the aspirations of these sections of society, particularly the women, for their economic and political empowerment. Fellow citizens, we have every reason to be proud of our democracy. But we will have to strain our every nerve to purify our political, administrative and electoral processes and to remove the aberrations and distortions that have come into the functioning of our democracy.

It is in the area of economic, technological and social development that India, during the last fifty years, has had to face formidable challenges. Here, though we have registered significant successes, the fact of the matter is that we have not been able to abolish poverty, ignorance and disease from among our people. The massive programmes that we have launched in these fields have not yielded the desired fruits. But we ought not to underestimate our achievements. India is today a considerable industrial and technological power of the world, and promises to be an economic giant in the twenty-first century. The economic reforms that we launched six years ago with the liberalization and opening up of our economy have reached a decisive stage. The country has moved to a high trajectory of growth with a growth rate of 7 to 8 per cent of GNP envisaged for the next five years. This is a record breaking achievement. We have accomplished this by standing on the shoulders of our basic policies of self-reliance and social justice. In this context, I would single out two broad parameters of progress we have. One is the revolution in the production of foodgrains making the country self-sufficient in food and the other is the rise in the average expectation of life of an Indian which more than doubled since Independence. Notwithstanding all these, we have yet to provide for our people safe drinking water, basic health facilities, electricity supply and other basic necessities of daily life.



भारत के राष्ट्रपति श्री के.आर. नारायणन 14-15 अगस्त 1997 को संसद भवन के केन्द्रीय कक्ष में भारत की स्वाधीनता के स्वर्ण जयंती समारोह के अवसर पर राष्ट्र को सम्बोधित करते हुए।

चित्र में (बाएं से दाएं) केन्द्रीय मानव संसाधन विकास मंत्री, श्री एस.आर. बोमर्डई, ब्रिटेन में हाउस आफ कामन्स की स्पीकर, सुश्री बेट्टी बुथरायड; लोक सभा अध्यक्ष, श्री पी.ए. संगमा, भारत के प्रधान मंत्री, श्री इन्द्र कुमार गुजराल; राज्य सभा की उपसभापति डा. (श्रीमती) नजमा हेपतुल्ला और केन्द्रीय गृह मंत्री, श्री इन्द्रजीत गुप्त भी दिखाई दे रहे हैं



प्रधान मंत्री श्री इन्द्र कुमार गुजराल भारत के राष्ट्रपति द्वारा दिए गए भाषण का हिन्दी पाठ पढ़ते हुए



केन्द्रीय कक्ष में आमंत्रित गणमान्य जनों का एक दृश्य



लता मंगेशकर देशभक्ति का तराना 'सारे जहाँ से अच्छा हिन्दोस्ताँ हमारा' का गायन करते हुए

But obviously these rates of progress are not enough for us to take pride in or to be complacent about. Other countries have gone far ahead of us. We have to move faster without upsetting the delicate and complicated balance of our society. We have to put special emphasis on the development of infrastructure and on investment. But we have also to devote more serious attention to the question of equity and social justice thus releasing the energies of nearly 75 per cent of our population for productive purposes. We have to give the youth of the country new opportunities, new hopes and new challenges. All these require hard work, discipline and unity of purpose and faith in the future of the country.

While I appeal to all the people of India to demonstrate such unity and faith, in this fiftieth year of our Independence, I am painfully aware of the deterioration that has taken place in our country and in our society in recent times. The traditional cultural and spiritual values which have been the mainstay of our civilization seem to be losing their grip over society and politics. Sheer opportunism and value-less power politics have taken over the place of principles and idealism that had been the hallmark of our social and political life. Violence has increased in the relationship between people, groups and parties. Social evils like the ill-treatment of women and the weaker sections like the Scheduled Castes, including atrocities against them, are on the increase, marring the fair name of India in the world. And corruption is corroding the vitals of our politics and our society.

Mahatma Gandhi, with prophetic insight, had observed on the growing phenomenon of corruption as follows: "Corruption will be out one day, however much one may try to conceal it: and the public can, as it is its right and duty, in every case of justifiable suspicion, call its servants to strict account, dismiss them, sue them in a law court, or appoint an arbitrator or inspector to scrutinize their conduct, as it likes". It seems the people have to be in the forefront of the fight against corruption, communalism, casteism and criminalization of politics and life in the country. A social movement or a widespread national movement is needed to cleanse the system. Such a social movement need not be merely negative but for positive purposes. Illiteracy, for example, has become a disgrace and the greatest obstacle against the progress of the country. Cannot we launch a mass movement for literacy involving the people, the students, the educated unemployed, the teachers, public servants, and the private enterprises? In the same way, social movements are required for fighting poverty, population growth and environmental degradation. In all this, I call for a new partnership between the government and the people.

India has always had a vision of the world and a message for the world. It has played a crucial role in the international relations and has every right to be in the central organs of the United Nations System. From the dawn of our civilization, we had believed the world is one and humanity is a single family. In the dark and bitter days of the Cold War, it was this vision that Jawaharlal Nehru projected to the world through his policy of non-alignment and peaceful co-existence. Cold War is fortunately over today, partly due to the refusal of India and other non-aligned nations to join up with one or the other bloc and their efforts to promote detente and reconciliation between the two. A new pluralistic world order has now emerged but there are still signs of the powerful developed nations trying to marginalise the weak and developing countries which constitute two-thirds of the world. And real disarmament and a world without arms remain a distant dream. In this context, India entertains her vision of the world, as an association of free and independent nations in an inter-dependent world. Let us, on this fiftieth anniversary of our Independence, dedicate ourselves to the welfare and happiness of the people of India, the peoples of Asia, and all humanity.

Jai Hind.

**ADDRESS BY THE PRESIDENT OF INDIA, SHRI K.R. NARAYANAN
AT THE CLOSING FUNCTION OF THE FIFTIETH ANNIVERSARY
CELEBRATIONS OF INDIA'S INDEPENDENCE
(15 AUGUST, 1998)**

The Closing Function of the Fiftieth Anniversary Celebrations of India's Independence was held on 15 August 1998 in the Central Hall of Parliament House. The function commenced with the playing of the National Anthem. Subsequently, excerpts from the speeches of Mahatma Gandhi, Pandit Jawaharlal Nehru and Netaji Subhas Chandra Bose were relayed. Later, Saare Jahan Se Achha was sung by Anuradha Paudwal. After that, the Department of Science and Technology, Government of India, presented an 'Audio-Visual display of India's achievements during the last 50 years'. Then, the National Song Vande Mataram was sung by Pandit Jasraj. The President of India, Shri K.R. Narayanan later addressed the nation. The Hindi version of the President's Address was subsequently read out by the Vice-President, Shri Krisban Kant. The function ended with the playing of the National Anthem. The entire programme was telecast and broadcast live throughout the nation.

The text of the Address by the President of India on the occasion is reproduced below.

*My Fellow Citizens, Freedom Fighters, Honourable Members of Parliament,
Brothers and Sisters and Friends:*

A year ago, on 15 August, I had the privilege of addressing you at the inauguration of the Golden Jubilee celebrations of our Independence. I have now the pleasure of speaking to you again at the conclusion of these celebrations. I would, at the outset, like to extend my greetings to my fellow citizens, the men and women, and the youth and the children of India.

The Golden Jubilee celebrations are drawing to a close, but the spirit of 15th August, and the ideals and the aspirations symbolized by it, remain to be pursued with dedication and with renewed vigour—"the ending of poverty and ignorance and disease and inequality of opportunity", as Pandit Jawaharlal Nehru urged at that mid-night hour.

Thanks to the values bequeathed to us by our age-old culture and civilization, and revived and revitalized in the prolonged and peaceful struggle for freedom led by the Father of the Nation, Mahatma Gandhi, we have pursued these ideals and objectives during the last 50 years within the framework of social and communal harmony and broad tolerance in spite of insuperable obstacles. In January 1947, at his prayer meeting, after ending his historic fast, Gandhiji said, "In this great country of ours there is room for all" and that, "We must never, under any circumstances, treat any one as an enemy. We have all to live in harmony". It is in accordance with this ancient motto of the Indian civilization, restated by Gandhiji at the time of his soul's agony, that independent India under Pandit Nehru had built up the secular foundations of our polity. On these foundations rest our social and economic development, our democracy, our unity and coherence as a nation, and our position in the comity of nations. On this solemn occasion, let us pay our homage to all those who had contributed to and sacrificed for this ideal, especially the common people of this land whose massive common sense has withstood, by and large, all extremist ideological blandishments and emotional incitements, and helped us to keep to the golden middle path.

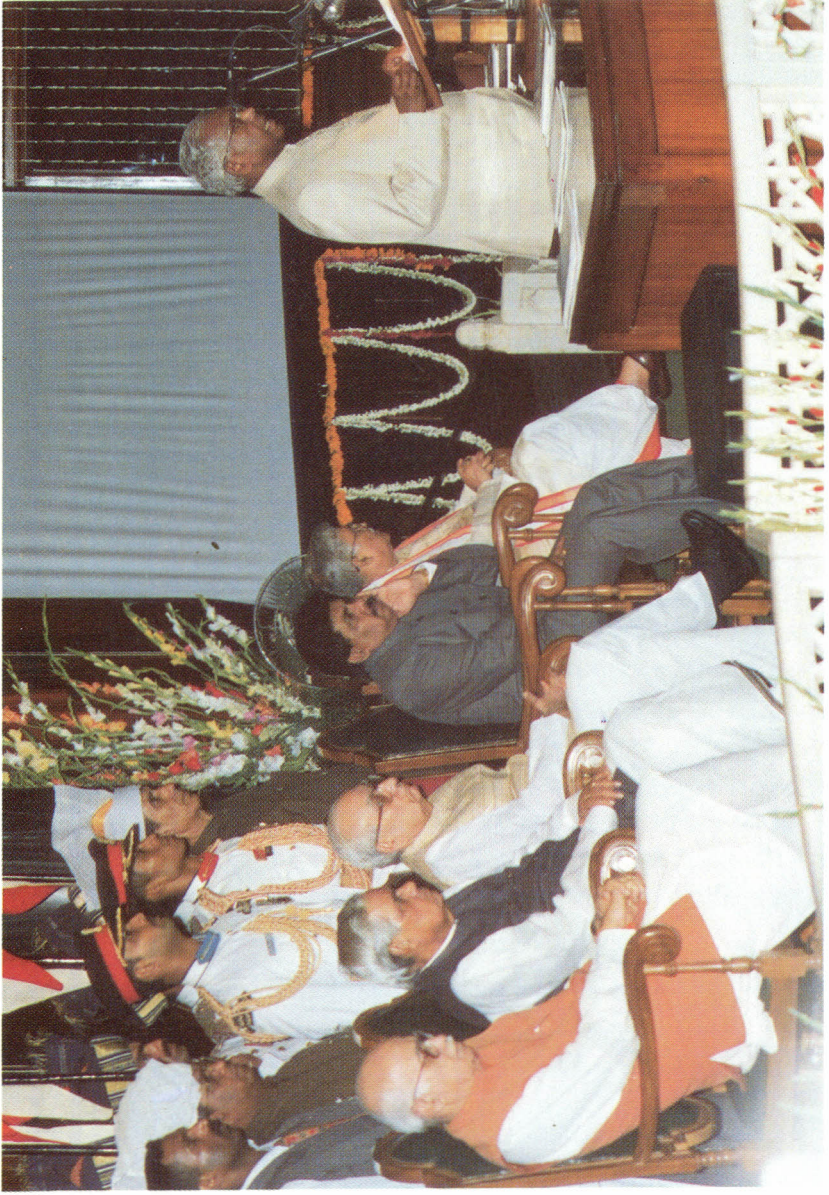
Indian democracy is the most precious product of this spirit of tolerance and this approach of secularism. During the last fifty years, we have nourished the plant of democracy, with tender care and touching faith, and it has today fully flowered. Though this has elicited reluctant recognition from the democracies of the developed world, it must be noted that strategic considerations, even when they are misconceived, may be thicker than the spirit of democracy. What is important for us is that we preserve, protect, expand, and deepen democracy so that it covers meaningfully every section, every layer of our vast and complex society.

Already the Panchayati Raj experiment is extending democracy to the grassroots of our society. With decentralization and devolution of powers to the panchayats, Indian democracy could involve the masses intimately in the building of a new and resurgent India. It could release new social and economic forces that could put substance and dynamism into our large developmental programmes. This is an occasion when we could take stock of our achievements in Panchayati Raj and find ways and means to inject greater democratic and developmental dynamism into its functioning.

Though the women of India have a glorious record not only in looking after their families but in participating in public activities and in fighting for the freedom of the nation, they are today marginalized in our society and in politics. How can the nation progress when nearly 50 per cent of the population is oppressed, ill-treated and discriminated against? Instances of gender discrimination and atrocities



15 अगस्त 1998 को संसद भवन के केन्द्रीय कक्ष में आयोजित स्वार्थीनता के स्वर्ण जयन्ती उत्सवों के समान समारोह में उपस्थित गणमान्य व्यक्ति।
 चित्र में खड़े हुए (बाएं से दाएं) केन्द्रीय गृह मंत्री, श्री एल.के. आडवाणी; प्रधान मंत्री, श्री अटल बिहारी वाजपेयी; भारत के उपराष्ट्रपति और राज्य सभा के सभापति श्री कृष्ण कान्त; भारत के राष्ट्रपति, श्री के.आर. नारायणन; लोक सभा अध्यक्ष, श्री जी.एम.सी. बालयोगी; और केन्द्रीय मानव संसाधन विकास मंत्री, डा. मुरली मनोहर जोशी हैं



भारत के राष्ट्रपति श्री के.आर. नारायणन राष्ट्र को सम्बोधित करते हुए।



भारत के उपराष्ट्रपति और राज्य सभा के सभापति श्री कृष्ण कान्त, भारत के राष्ट्रपति द्वारा दिए गए भाषण का हिन्दी पाठ पढ़ते हुए।



लोक सभा अध्यक्ष श्री जी.एम.सी. बालयोगी संसद भवन के केन्द्रीय कक्ष में समापन समारोह में भाषण देते हुए।

against women ought to make our menfolk hang their heads in shame before the civilized world. Gandhi, Nehru, Subhas Chandra Bose, Sarojini Naidu, indeed all our great leaders, had stood up for the rights of our women. In this Golden Jubilee year of our Independence, let us not deny them their legitimate social, economic and political rights. Let us gracefully concede to them one-third reservation in Parliament and the Legislatures before they wrest it from our hands by their votes of wrath in the General Elections.

In our society of multiple deprivations and discriminations, the Scheduled Castes, the Scheduled Tribes and large sections of the Backward Classes are the most deprived, oppressed, and marginalized. Indeed, the acid test of any social reform or economic progress in India is whether it has made a positive difference to the lot of the members of these classes. Since Independence, largely due to the impulse of the Gandhian reform movement and the more militant movement launched by Babasaheb Ambedkar, every government has pursued policies for the uplift of these people. But progressive legislations enacted by the governments are being negated at the level of implementation by the forces in society that could only be described as counter-revolutionary. If we do not curb the reckless play of these reactionary forces who not only obstruct the implementation of reforms, but commit atrocities on the weaker sections with impunity, there is great danger of things going wrong with our democracy. The momentum of our progressive legislations must be sustained. The backlog of vacancies reserved for the Scheduled Castes and Scheduled Tribes, especially in the higher rungs of government service, must be filled in.

Another section of our society, tender and beautiful, whom we all love, but neglect, ill-treat, and even barbarously abuse, are our children. The social conscience of our people has to be aroused to ensure a fair deal for the children, and the State has to take a leading role in primary and secondary education so that children, especially of the weaker sections, are given education and thus prevented from working in hazardous occupations and becoming bonded child labour. This is not only a humanitarian task, but one that directly affects the health, education and the general social development of the nation.

One part of India to which special and focused attention needs to be given, is the North-East. Despite being rich in natural resources, that part of the country has remained under-developed. Compounding this disability, is the factor of insurgent activities among a section of its people. This calls for the most urgent attention and action, so that the North-East feels a secure participant in our national progress and part and parcel of our mainstream.

In the maintenance of democracy, the example set by the legislators and the holders of public office is supremely important. Public office was regarded as a sacred space. Today it is regarded by an increasing number of wielders of it, as an opportunity to strike gold, and enjoy the loaves and fishes of power. It is a matter of the deepest regret that a great cynicism prevails in the public mind about politics and the administration. Floor crossings and cross-votings in power games are no longer rare transgressions of democratic norms. I cannot but recall the example, here, of Acharaya Narendra Deva who, when he decided to leave the Congress, persuaded his colleagues in the U.P. Assembly to resign from their seats in the House.

Speaking here in this Hall on the midnight of 14-15 August 1947, it is interesting that Sarvepalli Radhakrishnan referred to evils that have crept into administration and said: "Unless we destroy corruption in high places, root out every trace of nepotism, love of power, profiteering and blackmarketing which have spoiled the good name of this great country in recent times, we will not be able to raise the standards of efficiency in administration as well as in the production and distribution of the necessary goods of life." Unfortunately, those words are true today, if not truer.

I cannot but voice a pervasive sense of public concern over the frequent departure from order and decorum in parliamentary behaviour. Scenes of frayed tempers, often degenerating into violent acts in the well of House, bring no credit to our democracy. Our people take democracy seriously. Let us not betray their faith in it—our most precious legacy.

In the field of industrialisation and economic and scientific-technological development, India has made substantial, even spectacular progress. Our Green Revolution and White Revolution have given us self-sufficiency in foodgrains and milk production. But we have still to bring about a nutrition revolution capable of giving our people, especially the young people and expectant mothers, a nutritional diet. The lacuna has to be filled. And literacy, education, and health standards of our country have to be raised not only for securing a higher place in the World Human Development Index but in providing the basic conditions and the motive force to any significant economic progress.

India today is a significant industrial and economic power of the world. And all estimates are that early in the 21st century, she would become one of the major world economic powers. Thanks to the liberalisation of and the opening up of the economy to the world that we have launched since 1992 and which we have been prosecuting with vigour as well as a measure of reasonable caution, India with its 300 million strong middle class seething with entrepreneurial spirit, and one of the largest markets in the world, has become a very attractive place for foreign investment.

On this occasion, I should like to greet Indian citizens and people of Indian origin scattered all over the world and invite them to invest in India with national pride and confidence that their investments would be safe, productive and lucrative in the land of their origin.

In science and technology, thanks to the vision of Jawaharlal Nehru and our scientists from Homi Bhabha and Vikram Sarabhai onwards, we have made great leaps forward. Today Indian science has been crowned with important successes. These are for the welfare and safety of our people and of our nation. We are intensely interested in peace without arms, as we have always been, and we have declared our willingness to join any international arrangements and agreements that are non-discriminatory to rid the world of nuclear and other weapons of mass destruction.

We have conducted nuclear tests recently not with the intention of using it against anyone. In fact, I believe that atomic bombs are useful only when they are not used. They can only be a deterrent in the hands of a nation. Despite the prognosis of some of a nuclear conflict between India and Pakistan, I think, now that both the countries have these weapons, it would drive home to both, the inescapable need to settle the differences between them peacefully and through negotiations. In the Shimla Agreement of 1972, India and Pakistan had solemnly declared to put an end to the conflict and confrontation between them and to resolve all differences through bilateral and peaceful means. Nuclear weapons have now made it compulsory for us to do so.

Pandit Jawaharlal Nehru, in his famous broadcast of 7 September 1946, had sent out the greetings of the newly emerging independent India to the world. He sent his greetings and good wishes to the United Kingdom, to the United States of America, to the then Soviet Union, to the nations and peoples of Asia, to our neighbours and to China which he called "that mighty country with a mighty past". Today, on this occasion, I should like to renew those greetings and expressions of friendship to our neighbours in South Asia and Asia. Pandit Nehru had pledged then to work for a One World, in which there was free cooperation of free peoples, and where no class or group exploits another. Today, on behalf of the people of India, let us renew the pledge.

May I conclude by offering to the martyrs of our freedom struggle and to the great leaders and foot-soldiers of our freedom struggle, my homage. I also offer my greetings to our valiant defence and para-military forces. It is their vigil that safeguards our unity and sovereignty.

Let us, on this landmark occasion, re-dedicate ourselves to India's greatness.

Jai Hind.

ADDRESSES ON THE OCCASION OF THE FIFTIETH ANNIVERSARY OF THE REPUBLIC OF INDIA

(27 JANUARY, 2000)

A function to mark the 50th Anniversary of the Republic of India was held on 27 January 2000 in the Central Hall of Parliament House. The function commenced with the playing of the National Anthem. Subsequently, the Speaker, Lok Sabha, Shri G.M.C. Balayogi released the Special Commemorative Plaque brought out by the Lok Sabha Secretariat. The Plaque carried the logo of the 50th Anniversary of the Republic and a replica of the Parliament House. Later, the Speaker, Lok Sabha also addressed the distinguished gathering.

The Lok Sabha Speaker then requested the Prime Minister, Shri Atal Bihari Vajpayee to release the calligraphed copy of the Constitution of India in Hindi. The calligraphy of the Hindi version of the original Constitution was done by Shri Vasant Krisban Vaidya and elegantly decorated and illuminated by Shri Nand Lal Bose. Later, the Prime Minister, Shri Vajpayee released the calligraphed copy of the Constitution of India in Hindi and also addressed the gathering.

Excerpts from the historic speeches of Dr. Rajendra Prasad, Pandit Jawaharlal Nehru, Dr. B.R. Ambedkar and Sardar Vallabhbhai Patel were then relayed along with the visuals.

After that, the Minister of Communications, Shri Ram Vilas Paswan, requested the Vice-President of India and Chairman, Rajya Sabha, Shri Krisban Kant to release the Special Commemorative Stamp designed by the eminent cartoonist, Shri Ranga and brought out by the Ministry of Communications to mark the 50th Anniversary of our Republic. The Special Commemorative Stamp was then released by the Vice-President, Shri Krisban Kant who subsequently addressed the gathering.

Thereafter, the National Song Vande Mataram was sung by Smt. Sudha Ragbunathan, a renowned classical singer and Shri Haribaran, a versatile vocalist.

The Minister of Culture, Youth Affairs and Sports, Shri Ananth Kumar then requested the President of India, Shri K.R. Narayanan, to release an album of Jana Gana Mana comprising VCD/CD and a booklet brought out by the Department of Culture. Thereafter, the album of Jana Gana Mana was released by the President, Shri K.R. Narayanan who also addressed the gathering.

The function concluded with the singing of the National Anthem by a group of music maestros. The entire programme was telecast and broadcast live throughout the nation.

On this occasion, a booklet titled 50th Anniversary of the Republic of India—Select Proceedings of the Constituent Assembly relating to the Adoption and Signing of the Constitution was also brought out by the Library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat.

The texts of the Addresses by the dignitaries at the function are reproduced below.

**ADDRESS BY THE SPEAKER, LOK SABHA,
SHRI G.M.C. BALAYOGI**

*Respected Rashtrapatiji, Respected Upa-Rashtrapatiji, Honourable Pradhan Mantriji,
Distinguished Guests, Ladies and Gentlemen:*

I consider it a distinct honour to be here to welcome you all on this historic occasion. May I take this opportunity to express our thanks to Respected Rashtrapatiji, Upa-Rashtrapatiji and Pradhan Mantriji and other distinguished guests for being with us this morning. Our thanks are also due to the Ministers of Home Affairs, Parliamentary Affairs, Communications, Culture, Youth Affairs and Sports and Information and Broadcasting and to the Leaders of Opposition in Parliament, my fellow Presiding Officers in both the Houses, and to the Leaders of various Parties and Groups in Parliament for all their cooperation in organising this function today.

It is indeed a moment of pride for all of us; I would say, another milestone, in the long march of the nation. Fifty years ago, on 24 January 1950, this majestic Hall of our Parliament was witness to a very unique and historic occasion. It was here, on that day, that the members of the first sovereign representative body of the people of free India, a whole generation of our nation's leadership, represented in the Constituent Assembly, appended their signatures to the newly-drafted Constitution for India. Two days later, this Constitution came into force and India thus formally declared itself to be a Republic. That meant the culmination of a process set in motion on the 9th of December, 1946, when the Constituent Assembly first met in this very Hall to deliberate on the task of drafting a Constitution for Free India.

The deliberations of the Constituent Assembly are now an integral part of the history of our country. The members of that Assembly were united in their purpose to provide for the whole country the basic philosophy and the institutional framework which were to guide its socio-economic and political life in the days to come. The Constitution of India, the fundamental law of the land, was the final result of the nearly three years' dedicated labour of that august Assembly.

Today, we have a duty and moral obligation to pay our respectful homage to that generation of our nation's leadership—our real pathfinders—whose sagacity, vision, imagination and collective wisdom had gone into the making of our Constitution and into the creation of a new Republic. It was their lot to toil for our freedom, making innumerable sacrifices, and later to lay the foundations of a new Republic.

In the early years of the Indian Republic, it was a challenge before the national leadership to come up with a viable system of government. Through the collective efforts of the leaders and the people, we have met that challenge effectively. Today, having successfully gone through thirteen General Elections and numerous elections to the State Legislatures and local bodies and having experienced fairly stable political life for over fifty years, we can be legitimately proud of the viability and acceptability of the institutions created by our Constitution and about our own ability to work a democratic system in the country.

We cannot, however, afford to be complacent about these achievements of the past fifty years. There are still very many serious challenges before us. We have to go a long way in achieving the kind of socio-economic progress our Founding Fathers had visualised for the country, in 'wiping away the tears' of the poor, as Mahatma Gandhi had dreamt; in making 'our political democracy a social democracy as well', and promoting a way of life which recognises liberty, equality and fraternity as the principles of life, as Dr. B.R. Ambedkar had envisioned; and in bringing about the 'emotional integration' of the diverse people of our country, as Pt. Jawaharlal Nehru had visualised for us. Striving earnestly towards the realisation of the lofty vision of our Founding Fathers is our collective responsibility.

Today, on this historic occasion, let us all resolve once again to live up to the ideals enshrined in the Constitution and to be ever vigilant to guard the Republic, its Constitution and the institutions created by it.

Thank You.

**ADDRESS BY THE PRIME MINISTER OF INDIA,
SHRI ATAL BIHARI VAJPAYEE**

*Respected Rasbtrapatiji, Upa-Rasbtrapatiji, Honourable Speaker of the Lok Sabha,
Distinguished Colleagues, Ladies and Gentlemen:*

Yesterday, India celebrated the Golden Jubilee of Republic Day. Today we have gathered here to commemorate this historic occasion. Fifty years ago, in this very Hall, our Constitution was adopted. That event was a culmination of our people's long suppressed aspiration for freedom; of an arduous, protracted struggle for self-governance. The journey of the creation of our Constitution has closely paralleled the journey of our Freedom Movement in the early half of the last century.

Members will recall that the 'Commonwealth of India Bill', prepared by Indians in 1924, was an important initial milestone. This was followed by the preparation of the 'Swaraj Constitution'. A new dimension was added to that effort with the Fundamental Rights Declaration in 1931. Following many ups and downs, the Non-Party Conference prepared a comprehensive Constitutional scheme in 1944-45. Unfortunately, that was nipped in the bud. At last, the Constituent Assembly was set up. Thereupon, the Constitutional Advisor to the Constituent Assembly prepared the Draft Constitution. The Draft was subjected to a clause-by-clause consideration in Committees—headed by Pandit Nehru, Sardar Patel, and other luminaries.

From the discussions in the Drafting Committee headed by Dr. Babasaheb Ambedkar to the deliberations—as intense as they were intensive—in the Constituent Assembly as a whole, it was one unbroken quest for perfection. Indeed, it was a saga. Even as they were being lashed by riots, killings, oppression and imprisonment, our leaders kept at the task decade after decade.

To read the deliberations of the Constituent Assembly and its Committees even today, even after 50 years, is to be overwhelmed by:

- The earnestness with which they approached the task;
- The insight they brought to bear on each Article;
- The farsightedness with which they anticipated the situations and problems that were likely to arise;
- The singular touchstone by which they judged every provision—always guided by the interest of our country and our people;
- How, engulfed, as they were by the aftermath of Partition, by riots, by an invasion, by the urgent task of integrating the States—how they would abstract themselves from this tumult, gather in this very Hall, and weigh, and deliberate, and fashion, and refashion, clause after clause.

We are beneficiaries of their sacrifices: we would never forget that. We are heirs to that legacy—of exclusive, overarching devotion to the national interest; of reasoned, civil discourse; of harmonising disparate views. We should never forget that.

There is one great test for a Constitution, for any system of governance. It must deliver and it must be durable. Our Constitution has stood this test. And one reason it has been able to do so is that it embodies a masterly balance: between the rights of the individual and the requirements of collective life; between the States and the Union; between providing a robust structure and flexibility. Our Constitution has served the needs of both India's diversity and her innate unity. It has strengthened India's democratic traditions.

But even in the mightiest fort, one has to repair the parapet from time to time, one has to clean the moat and check the banisters. The same is true about our Constitution. Five decades after the adoption of the Constitution, India is faced with a new situation. The need for stability, both at the Centre and in the States, has been felt acutely.

The people are impatient for faster socio-economic development. The country is also faced with a pressing challenge to quickly remove regional and social imbalances by reorienting the development process—to benefit the poorest and the weakest. That is the purpose for which a Commission to review the Constitution is proposed to be set up. The basic structure and the core ideals of our Constitution, however, will remain inviolate.

Let us not forget that in the end, a Constitution is only as good as the ones who work the institutions which it has set up.

Participating in the Constituent Assembly debates, Dr. Ambedkar had said:

“I feel however good a Constitution may be, it is sure to turn out bad because those who are called to work it, happen to be bad lot. However bad a Constitution may be, it may turn out to be good if those who are called to work it, happen to be a good lot. The Constitution can provide only the organs of State such as the Legislature, the Executive and the Judiciary. The factors on which the working of those organs of the State depend are the people and the political parties they will set up as their instruments to carry out their wishes and their politics.”

There is widespread apprehension today that our institutions are not working as the Constitution intends, that the conduct of those of us who run them is not what the proper functioning of those institutions requires.

Let this be our resolve today:

- We shall leave institutions—above all, our Parliament and our State Legislature—for the coming generation in a condition vastly better than the condition in which we found them;
- In discharging our duties in them our conduct will be such as would have done the Founding Fathers proud.

That would be a fitting way to repay our debt to them. That would be the one tribute worthy of them.

Thank you.



भारत के राष्ट्रपति श्री के.आर. नारायणन 27 जनवरी 2000 को भारत गणराज्य की 50वीं वर्षगांठ के अवसर पर आयोजित समारोह में शोभा यात्रा में आते हुए



लोक सभा अध्यक्ष श्री जी.एम.सी. बालयोगी इस अवसर पर स्मृति फलक जारी करते हुए



लोक सभा अध्यक्ष श्री जी.एम.सी. बालयोगी उपस्थित गणमान्य जनों के समक्ष भाषण देते हुए



प्रधान मंत्री श्री अटल बिहारी वाजपेयी भारत के संविधान की हिन्दी में सुलेखित प्रति का विमोचन करते हुए



प्रधान मंत्री श्री अटल बिहारी वाजपेयी उपस्थित जनों को सम्बोधित करते हुए



भारत के उप-राष्ट्रपति और राज्य सभा के सभापति श्री कृष्ण कान्त विशेष स्मारक डाक टिकट जारी करते हुए



भारत के उप राष्ट्रपति और राज्य सभा के सभापति श्री कृष्ण कांत उपस्थित गणमान्य जनों को सम्बोधित करते हुए



भारत के राष्ट्रपति श्री के.आर. नारायणन जन गण मन की एक एलबम, जिसमें वो.सी.डी./सी.डी. और एक पुस्तिका शामिल है, जारी करते हुए



भारत के राष्ट्रपति श्री के.आर. नारायणन उपस्थित गणमान्य जनों को सम्बोधित करते हुए। चित्र में (बाएं से दाएं) संचार मंत्री श्री राम विलास पासवान, प्रधान मंत्री श्री अटल बिहारी वाजपेयी, उपराष्ट्रपति श्री कृष्ण कान्त, लोक सभा अध्यक्ष श्री जी.एम.सी. बालयोगी, संस्कृति और युवक कार्य मंत्री श्री अनंत कुमार भी दिखाई दे रहे हैं



लोक सभा अध्यक्ष श्री जी.एम.सी. बालयोगी भारत के मूल संविधान का सुलौखित हिन्दी संस्करण तैयार करने वाले श्री वसंत कृष्ण वैद्य का अभिनन्दन करते हुए

**ADDRESS* BY THE VICE-PRESIDENT OF INDIA
AND CHAIRMAN, RAJYA SABHA,
SHRI KRISHAN KANT**

Honourable President, Sri Narayanan, Honourable Prime Minister, Sri Atal Bihari Vajpayee, Honourable Speaker, Lok Sabha, Sri Balayogi, Friends and distinguished Guests:

The postal stamp brought out and released today by the Union Postal Department to mark the Golden Jubilee of Indian Republic, brings to surface a unique truth about our history, geography and culture. The outlines of Gandhiji's body and India's geography merge into each other.

Gandhi was India. Netaji Subhas Chandra Bose called him the Father of the Nation. Gandhi is India and will remain India. The soul of India found utterance through his very breath. As Gandhi himself said, "I will not escape to the Himalayas leaving the people behind. I will continue to speak even from my grave."

We may ask why is the Republic Day observed on 26 January, while the Constitution was signed by the members of the Constituent Assembly earlier, on 26 November, 1949. This is because, 26 January is a milestone in the history of India's National Movement.

On 31 December, 1929, at the Lahore Congress, in the Punjab Kesri Lala Lajpat Rai Nagar, Gandhiji had the resolution for *Poorna Swaraja* passed by the Congress, in which the demand for dominion status was given up in favour of our resolve for marching towards full freedom. In the midnight of the same day, Pandit Jawaharlal Nehru, unfurled the tricolor on the banks of Ravi and tossed the fragrance of the resolve of '*Poorna Swaraja*' in the nation's emotional atmosphere. From that year onwards, the people of India repeated the Pledge, prepared by Gandhiji, each year on 26 January, till we attained Independence. On 26 January, 1930, in Punjab and several parts of the country, a patriotic song was sung. It read:

When Jawaharlal unfurled
The flag on the Ravi bank.
"We must become free"
He proclaimed.
The people of India and Punjab
Took this oath collectively,
"We will embrace the gallows
With the song of the nation on our lips
We may lose our life
But will never renege on our promise"

*Original delivered in Hindi

The practice of not taxing common salt traces its origin to this chapter of our National Movement. Gandhiji had been forcefully speaking since 1908—*Hind Swaraj* days—against levying tax on common salt, which was a primary necessity of the Indian people. Gandhiji gave a call for the *Salt Satyagraha*, from the 12 March, 1930, and himself embarked on the *Dandi March*, which shook the foundations of the British rule in India. It was a fight of right against might in a non-violent manner. This thought was there in the mind of Gandhiji right from 26 January, the day of the Pledge and he wrote to Pandit Jawaharlal Nehru about it. Pandit Motilal Nehru likened the *Dandi March* to Lord Shri Rama's triumphant journey to Lanka. Subhas Chandra Bose compared it with Napoleon's Paris expedition. Babu called it equivalent to a pilgrimage to Badrinath and Kedarnath. All these programmes drew their inspiration from the Pledge drafted by Gandhiji for 26 January, which day we have sanctified now as our Republic Day—then called Independence Day.

The Fundamental Rights, which are the keystone of our Republic, were passed by the Karachi Congress Session in 1931 as moved by Gandhiji. At that time twenty points were mentioned. Some of the points mentioned therein were for India of the future and are now included in our Constitution as the Directive Principles. At the Karachi Session of the Congress, Gandhiji had moved the Resolution on Basic Rights, which also included the neutrality of the state between Faiths. Our Constitution reflects this spirit in its provisions. Poet Nazir Banarasi has sensitively portrayed that spirit of love and goodwill among people in his poem on Gandhiji called "The Old Gardener"....

Human relations are far superior
To the relations of faith;
In life and in death, O' friend
It is good to be together
We may lose our life but, O'friend
Let us not lose our relations. ;
The flowers strung together
In the garland
By the Old Gardener
should not be allowed to break.

Let us take the pledge today that we will never allow this garland of flowers, strung together by Gandhiji, to be broken.

**ADDRESS BY THE PRESIDENT OF INDIA,
SHRI K.R. NARAYANAN**

Honourable Vice-President of India, Honourable Prime Minister of India, Honourable Speaker of the Lok Sabha, Honourable Members of Parliament, Ladies and Gentlemen:

It gives me great pleasure to be here amidst you at this solemn function to mark the Golden Jubilee Celebrations of the birth of the Indian Republic and commencement of our Constitution. The establishment of the sovereign, democratic Republic of India was, obviously, a significant and glorious event for India, for the freedom and welfare of the hundreds and millions of its people. But it was also a world event of far-reaching significance. People talk about the triumph of democracy in the world against other forms of government. For that triumphal outcome, democracy in India has had a meaningful part to play not in the way of taking part in the ideological Cold War, but in the sense of setting an example, overpowering example to the world.

What Sir Anthony Eden, the Prime Minister of Britain, said at the time of the emergence of Indian Republic is relevant in this context. He said, "Of all the experiments in government, which have been attempted since the beginning of time, I believe that the Indian venture into parliamentary government is the most exciting. A vast sub-continent is attempting to apply to its tens and thousands of millions a system of free democracy... It is a brave thing to do so. The Indian venture is not a pale imitation of our practice at home, but a magnified and multiplied reproduction on a scale we have never dreamt of. If it succeeds, its influence on Asia is incalculable for good. Whatever the outcome, we must honour those who attempt it."

Even more meaningful was the opinion expressed by an American Constitutional authority, Prof. Granville Austin who wrote that, what the Indian Constituent Assembly began was "perhaps the greatest political venture since that originated in Philadelphia in 1787."

Mahatma Gandhi had visualized the new Constitution of India in terms of universal values applied to the specific and special conditions of India. As early as 1931, he had written:

"I shall strive for a Constitution which will release India from thralldom and patronage. I shall work for 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 there is no high class or low class of people, an India in which all communities shall live in perfect harmony. There can be no room in such an India for the curse of untouchability. We shall be at peace with the rest of the world neither exploiting nor exploited. All interests not in conflict with the interests of the dumb millions will be scrupulously respected whether foreign or indigenous. Personally, I hate the distinction between foreign and indigenous. This is the India of my dreams for which I shall struggle."

At the core of our Constitution lies the essence of this Gandhian dream in the form of social justice and social democracy. Prof. Granville Austin has described the Indian Constitution as, "first and foremost a social document." He further explained that, "the majority of India's constitutional provisions are either directly arrived at furthering the aim of social revolution or attempt to foster this revolution by establishing conditions necessary for its achievement." The very same point was elaborated in eloquent terms by Dr. Ambedkar and Pandit Nehru. What makes our Constitution relevant to the conditions and the problems of India and the developing world as a whole is, in fact, the socio-economic soul of it. Its uniqueness is that it has combined this harmoniously with the liberal rights and freedoms as conceived by the Western democracies.

It is after deep thought and considerable debate that the Founding Fathers adopted the philosophy and the form of government for India. Speaking on the draft Constitution, Dr. Ambedkar claimed that, "It is workable, it is flexible and it is strong enough to hold the country together both in peace time and in war time. Indeed, if I may say so, if things go wrong under the new Constitution, the reason will not be that we had a bad Constitution. What we will have to say is that Man is vile". Today when there is so much talk about revising the Constitution or even writing a new Constitution, we have to consider whether it is the Constitution that has failed us or whether it is we who have failed the Constitution. Dr. Rajendra Prasad, as President of the Constituent Assembly, had pointed out, "If the people who are elected are capable men of character and integrity, they should be able to make the best of a defective Constitution. If they are lacking in these, the Constitution cannot help the country". I believe these are wise words which we should pay heed to.

The form of government, the parliamentary democratic form, was chosen by the Founding Fathers after deep thought and debate. In the Constituent Assembly, Dr. Ambedkar explained that the Drafting Committee, in choosing the parliamentary system for India, preferred more responsibility to more stability, a system under which the government will be on the anvil every day. He said that accountability was still difficult to obtain from day to day. Thus, the parliamentary system was a deliberate and well-thought out choice of the Constituent Assembly. It was not chosen in imitation of the British system or because of the familiarity with it that India had acquired during the colonial period. Gandhiji while acknowledging our debt to Britain with regard to parliamentary government had observed that the roots of it were present in India in the age-old system of the village panchayats. Dr. Ambedkar explained in the Constituent Assembly that the Buddhist *Sanghas* were parliamentary type of institutions and that in their functioning, modern parliamentary devices like resolutions, divisions, whips, etc. were used. These elements in our heritage made it possible and easy for India to adopt the

parliamentary system of democracy. Besides, as Dr. Ambedkar told the Constituent Assembly, this system was chosen because they preferred more responsibility to stability. Another factor to be borne in mind is the immensity of India, the perplexing variety and diversity of the country, the very size of its population and the complexity of its social and developmental problems. In such a predicament, described by one writer as one of "a million mutinies", there must in the body politic be a vent for discontents and frustrations to express themselves in order to forestall and prevent major explosions in society. The parliamentary system provides this vent more than a system which prefers stability to responsibility and accountability. Our recent experience of instability in government is perhaps no sufficient reason to discard the parliamentary system in favour of the Presidential or any other form. In my opinion we should avoid too much rigidity in our system of government, as in a very rigid system there is the danger of major explosions in society taking place. The possibility and the facility of a change in government is in itself a factor in the stability of the political system in the long run because then the people will be more inclined to tolerate a political situation they do not approve of or find difficult to cope with for long. At any rate, as Dr. Rajendra Prasad said, the shortcomings in the people entrusted with running the government cannot be obviated by constitutional changes or provisions.

Amendments to the Constitution are a different matter. The Founding Fathers deliberately made the amendment process of the Constitution easy so that the shortcomings and lacunae in the Constitution can be rectified by the Parliament without too much difficulty. There are other changes that can be brought about, like changes in the electoral law or the functioning of the political parties. Whatever we may do, and we have a right to bring about necessary changes in the political and economic system, we should ensure that the basic philosophy behind the Constitution and the fundamental socio-economic soul of the Constitution remain sacrosanct. We should not throw out the baby with the bath water and like the tragic character Othello in Shakespeare has to lament later "Like the base Indian, threw a pearl away—Richer than all this tribe".

Jai Hind.

**Resolution adopted by the Lok Sabha/the
Rajya Sabha at the Special Session of Parliament
on the occasion of the Golden Jubilee of
Independence (26 August—1 September, 1997)**

We, the Members of Lok Sabha meeting in a specially convened Golden Jubilee Session of both Houses of Parliament, to commemorate the completion of half a century of freedom;

Having remembered with gratitude the great sacrifices made and the salutary service rendered by our freedom fighters;

Having recalled with deep satisfaction and pride the maturity of our people in vigilantly preserving democracy and safeguarding the unity of the nation and the valour of our soldiers, sailors and airmen, including ex-servicemen in service to the country;

Having reflected upon the state of the nation with the Preamble to the Constitution as the guide;

Having then specifically deliberated upon matters concerning our current political life, state of democracy in the country, our economy, infrastructure, science, technology and human development;

Do now solemnly affirm our joint and unanimous commitment to the issues hereinafter mentioned, and we also do solemnly resolve and direct that they be adopted as minimum tasks, constituting our "Agenda for India" on this historic occasion;

That meaningful electoral reforms be carried out so that our Parliament and other legislative bodies be balanced and effective instruments of democracy; and further that political life and processes be free of the adverse impact, on governance, of undesirable extraneous factors, including criminalization;

That continuous and proactive efforts be launched for ensuring greater transparency, probity and accountability in public life so that the freedom, authority and dignity of the Parliament and other legislative bodies are ensured and enhanced; that more especially, all political parties shall undertake all such steps as will attain the objective of ridding our polity of criminalization or its influence;

That the prestige of the Parliament be preserved and enhanced, also by conscious and dignified conformity to the entire regime of Rules of Procedure and Conduct of Business of the Houses and Directions of the Presiding Officers relating to orderly conduct of business, more especially by:

- maintaining the inviolability of the Question Hour,
- refraining from transgressing into the official areas of the House, or from any shouting of slogans, and

- invariably desisting from any efforts at interruptions or interference with the Address of the President of the Republic;

That a vigorous national campaign be launched by all political parties to combat economically unsustainable growth of population, recognizing that such growth lies at the root of most of our human, social and economic problems;

That education at all levels be made employment-relevant, special attention being given to quality; that achievement of the Constitutional mandate of universalisation of elementary education be closely monitored; and that universal primary education be achieved by A.D. 2005;

That the national economy be prudently managed, with emphasis on:

- efficient use of resources and avoidance of wastes;
- priority attention to development of infrastructure;
- generation of wealth as a sustainable means of achieving full, freely chosen and productive employment, of elimination of poverty and of securing equity and social justice; and
- balanced regional development.

That continuous efforts be made for achieving, in a time bound manner, marked improvement in the quality of life of all citizens of our country with special emphasis on provision of our minimum needs; food, nutrition and health security at the house-hold level; potable water; sanitation and shelter;

That gender justice be established in the spirit of the Declaration and Platform for Action of the U.N. Fourth World Conference on Women (1995) and be practised as a way of life, with particular emphasis on education of the girl child;

That constant efforts be made in terms of inculcation of values and adjustment of the life and working styles of our people of secure protection of environment and preservation of ecology and bio-diversity;

That science and technology be primarily anchored in the creation of a scientific temper, be developed by promotion of governmental as well a non-governmental efforts and be pressed into service not merely for economic development but human development in all its dimensions;

That, finally, the essence of participatory democracy be seen in the inculcation of our national spirit of self-reliance, in which our citizens are equal partners in all spheres of our national endeavour, and not simply the beneficiaries of governmental initiatives.

By integrating 500 and odd States into sizeable units and by the complete elimination of centuries-old autocracies, the Indian democracy has won a great victory of which the Princes and the people of India alike should be proud. This is an achievement which should rebound to the credit of any nation or people at any phase of history.

Sardar Vallabhbhai Patel
12 October, 1949

“...We must make our political democracy a social democracy as well.... It means a way of life which recognises liberty, equality and fraternity as the principles of life.... Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty and equality could not become a natural course of things.”

Dr. B.R. Ambedkar
25 November, 1949